

# **EXHIBIT A**

September 22, 2017

**BY U.S. MAIL, E-MAIL, AND ONLINE PORTAL**

James Holzer  
Deputy, FOIA Officer  
Building 410, Mail Stop #0655  
245 Murray Lane, SW  
Washington, DC 20528-0655  
foia@hq.dhs.gov

**Re: Expedited Freedom of Information Act Request**

To whom it may concern:

My name is Richard Behar, and I am an award-winning<sup>1</sup> investigative journalist, and the Contributing Editor of Investigations at *Forbes* magazine.<sup>2</sup> In the past year, I have reported extensively on President Donald Trump.<sup>3</sup> This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

**Background**

Then-candidate Donald Trump received Secret Service protection in November 2015.<sup>4</sup> At various points over the next several years, additional members of the Trump family and affiliates with the Trump Campaign and Trump Organization received Secret Service protection as well.<sup>5</sup> This request seeks records of great and urgent public interest<sup>6</sup>—Secret Service records related to

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<sup>1</sup> *Bio*, Richard Behar, <http://www.richardbehar.com/richard-behar-biography.html> (last visited Sept. 20, 2017).

<sup>2</sup> *Contributor: Richard Behar*, *Forbes*, <https://www.forbes.com/sites/richardbehar/#3aec44817705> (last visited Sept. 20, 2017).

<sup>3</sup> See Richard Behar, *Donald Trump and the Felon: Inside His Business Dealings with a Mob-Connected Hustler*, *Forbes* (Oct. 3, 2016), <https://www.forbes.com/sites/richardbehar/2016/10/03/donald-trump-and-the-felon-inside-his-business-dealings-with-a-mob-connected-hustler/#572299e72282>; Richard Behar, *The Kazakhstan Connection: Trump, Bayrock and Plenty of Questions*, *DCReport* (Sept. 12, 2017), <https://www.dcreport.org/2017/05/12/the-kazakhstan-connection-trump-bayrock-and-plenty-of-questions/>; Richard Behar, *How Felix Sater — Former Mob-linked Hustler And Ex-Trump Adviser — Sought To ‘Protect’ Ukraine’s Nuclear Plants*, *Nat’l Memo* (May 25, 2017), <http://www.nationalmemo.com/felix-sater-ex-trump-adviser-ukraines-nuclear-plants/>.

<sup>4</sup> Jim Acosta & Jeremy Diamond, *Donald Trump, Ben Carson Getting Secret Service Protection*, *CNN* (Nov. 5, 2015), <http://www.cnn.com/2015/11/05/politics/donald-trump-ben-carson-secret-service/index.html>.

<sup>5</sup> See, e.g., Tom Llamas et al., *Ivanka Trump Receiving Her Own Secret Service Protection*, *ABC News* (Sept. 19, 2016), <http://abcnews.go.com/Politics/ivanka-trump-secret-service-protection/story?id=42196407>; Anna Wener et al., *The Cost to Taxpayers of Protecting Trump’s Kids on Overseas Business Trips*, *CBS News* (Feb. 27, 2017), <https://www.cbsnews.com/news/how-much-does-protecting-trumps-children-on-overseas-business-trips-cost-taxpayers>.

<sup>6</sup> See *infra* Application for Expedited Processing.

visitors to Donald Trump and his affiliates during the time when they were under Secret Service Protection prior to President Trump's inauguration.

### **Requested Records**

I request the following records:

(1) Records identifying every individual who was screened and/or noted by the Secret Service because they (a) sought to visit any of the following individuals, and/or (b) sought access to any secured area where any of the following were present:

- a. Donald Trump;
- b. Eric Trump;
- c. Donald Trump, Jr.;
- d. Ivanka Trump;
- e. Jared Kushner;
- f. Paul Manafort;
- g. Michael Flynn;
- h. Corey Lewandowski;
- i. Michael Cohen;
- j. Stephen Bannon; and/or
- k. Kellyanne Conway.

The information sought by this request includes, but is not limited to, any Worker and Visitor Entrance System (WAVES) records and Access Control Records (ACR). The request includes, but is not limited to, visitors to Trump Tower, Mar-a-Lago, Bedminster Golf Club, and, to the extent available, the twenty-eight fields of data that were previously released under the Obama Administration for White House visitors.<sup>7</sup>

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<sup>7</sup> See *White House Visitor Records*, The White House, <http://obamawhitehouse.archives.gov/goodgovernment/tools/visitor-records> [<http://perma.cc/EL2T-5XC4>] (last visited Sept. 20, 2017). The twenty-eight fields consist of the following:

- NAMELAST
- NAMEFIRST
- NAMEMID
- UIN
- BDGNBR
- ACCESS\_TYPE
- TOA
- POA
- TOD
- POD
- APPT\_MADE\_DATE
- APPT\_START\_DATE
- APPT\_END\_DATE
- APPT\_CANCEL\_DATE
- Total\_People
- LAST\_UPDATEDBY

- (2) All records concerning any communication between the Secret Service and any individual employed by and/or affiliated with either the Trump Campaign and/or the Trump Organization regarding any individual screened and/or noted by the Secret Service identified in the records produced in response to request one.

#### Time Period

Both requests are limited to records of individuals screened or noted by the Secret Service between November 1, 2015, and January 21, 2017. Both include, but are not limited to, records related to visitors to Mar-a-Lago and Trump Tower

#### Form

With respect to the form of production for both requests, *see* 5 U.S.C. § 552(a)(3)(B), the I request that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the I request that the records be provided electronically in a text searchable, static image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates stamped files.

#### **Application for Expedited Processing**

Pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e)(1)(ii), I request expedited processing for this request because it involves an urgency to inform the public about actual federal government activity and I am making it as a reporter primarily engaged in disseminating information.<sup>8</sup> Specifically, I am making this request so as to disseminate this information to the public, in light of the broad public interest in who the prospective president (and his colleagues) were meeting with prior to his inauguration. Furthermore, the subject of this request concerns a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. 6 C.F.R. § 5.5(e)(1)(iv).

The subject of this request is a matter of widespread and exceptional media interest. Since the Obama Administration, White House visitor logs have been available to the public, and

- 
- POST
  - LASTENTRYDATE
  - TERMINAL\_SUFFIX
  - visatee\_namelast
  - visatee\_namefirst
  - MEETING\_LOC
  - MEETING\_ROOM
  - CALLER\_NAME\_LAST
  - CALLER\_NAME\_FIRST
  - CALLER\_ROOM
  - DESCRIPTION
  - Release\_Date

<sup>8</sup> In the past year, I have reported extensively on President Donald Trump. *See supra* note 3.

have proven to be an invaluable resource in determining the outside influences on the President. The Trump Administration, however, has refused to release those records.<sup>9</sup> This issue is the subject of headline-making litigation and has been covered by media publications including *CNN*,<sup>10</sup> *The Washington Post*,<sup>11</sup> *Time*,<sup>12</sup> *Politico*,<sup>13</sup> and *The New York Times*.<sup>14</sup> Furthermore, on March 6, 2017, eight Senators sent letters to the President and the Secret Service urging the public release of the WAVES data.<sup>15</sup> On July 14, 2017, in response to a suit filed by several government watchdog groups, a federal judge ruled that the Secret Service had to release certain Mar-a-Lago visitor logs.<sup>16</sup> Despite this, the Secret Service has withheld almost all Mar-a-Lago visitor logs, releasing only 22 names of foreign dignitaries and staffers related to Japanese Prime Minister Shinzo Abe's February trip.<sup>17</sup> On August 17, 2017, the public interest group Public Citizen filed a lawsuit against the Secret Service demanding public access to visitor logs for several agencies located in the White House.<sup>18</sup>

The need for information extends to logs taken before the President's inauguration as significant media attention has been focused on the propriety of the Trump campaign's actions

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<sup>9</sup> See Dave Boyer, *Trump Won't Release White House Visitor Logs, Reverses Obama Policy*, Wash. Post (April 14, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html); Spencer S. Hsu, *Trump White House is Still Holding Back Visitor Information, Watchdog Group Says*, Wash. Post (Aug. 17, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html).

<sup>10</sup> See, e.g., Laura Jarrett and Cristina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>11</sup> See, e.g., *The White House's Secretiveness Is Getting So Bad, It's Probably Illegal*, Wash. Post (Aug. 20, 2017), [https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496_story.html).

<sup>12</sup> See, e.g., Zeke J. Miller, *The White House Will Keep Its Visitor Logs Secret*, Time (Apr. 14, 2017), <http://time.com/4740499/white-house-visitor-logs-public-record-trump/>.

<sup>13</sup> See, e.g., Josh Dawsey and Nolan D. McCaskill, *White House Says it Won't Make Visitor Logs Public*, Politico (April 14, 2017), <http://www.politico.com/story/2017/04/white-house-says-it-wont-make-visitor-logs-public-237235>.

<sup>14</sup> See, e.g., Eric Lipton, *Trump Declines to Release List of His Mar-a-Lago Visitors*, N.Y. Times (Sept. 15, 2017), <https://www.nytimes.com/2017/09/15/us/politics/trump-declines-to-release-list-of-his-visitors-at-mar-a-lago.html>.

<sup>15</sup> See, e.g., *Wyden Calls on Trump to Release White House Visitor Logs*, News Channel 21 (Mar. 7, 2017), <http://www.ktvz.com/news/wyden-calls-on-trump-to-release-white-house-visitor-logs/381476106>.

<sup>16</sup> Adam Edelman, *Trump Must Release Mar-a-Lago Visitor Logs, Judge Rules*, NBC News (July 17, 2017), <https://www.nbcnews.com/politics/donald-trump/trump-must-release-mar-lago-visitor-logs-judge-rules-n783686>.

<sup>17</sup> Laura Jarrett and Christina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN Politics (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>18</sup> Josh Gerstein, *Suit Demands Visitor Logs for Parts of White House*, Politico (Aug. 17, 2017), <http://www.politico.com/blogs/under-the-radar/2017/08/17/lawsuit-trump-white-house-visitor-logs-241744>.

on behalf of the President's friends and supporters.<sup>19</sup> Furthermore, the need for information extends to visitor logs pertaining to not only the President, but members of the President's campaign, who are likely to further influence the President. This need is exemplified by numerous publications reporting on Robert Mueller's investigation of the Trump campaign's ties to Russia,<sup>20</sup> meetings between members of the President's family and a Russian lawyer shortly after the president's Republican nomination,<sup>21</sup> and allegations of corruption extending before the President's inauguration.<sup>22</sup>

Moreover, the need for this information is underlined by recent concerns raised about the President's use of his properties, such as Trump National Golf Club and Mar-a-Lago,<sup>23</sup> as well as significant financial stakes in "more than 500 businesses."<sup>24</sup>

I certify that the information above is true and correct to the best of my knowledge, pursuant to 6 C.F.R. § 5.5(e)(3).

### **Application for Fee Waiver**

I request that the Secret Service waive the search, review, and duplication fees associated with this request. The requested records are not sought for commercial use. I am a journalist, and seek these records for use in my reporting. I am therefore entitled to a waiver of search fees and review fees, and a waiver or reduction of duplication fees, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) and 6 C.F.R. § 5.11(6).

I certify that the information above is true and correct to the best of my knowledge.

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<sup>19</sup> Amanda Terkel, *Hillary Clinton Won't Rule Out Questioning the Legitimacy of Donald Trump's Election*, HuffPost (Sept. 18, 2017), [http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy\\_us\\_59c01f2de4b0f22c4a8bcb71](http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy_us_59c01f2de4b0f22c4a8bcb71); Matt Ferner, *Rep. John Lewis: Trump Is Not A 'Legitimate President'*, HuffPost (Jan. 13, 2017), [http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate\\_us\\_58792bfee4b0b3c7a7b1303a](http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate_us_58792bfee4b0b3c7a7b1303a).

<sup>20</sup> *With Russia Investigation, Plenty to See Here*, USA Today (Sept. 18, 2017), <https://www.usatoday.com/story/opinion/2017/09/18/russia-investigation-plenty-see-here-editorials-debates/674777001/>.

<sup>21</sup> See, e.g., Mark Lander and Maggie Haberman, *With Glare on Trump Children, Political Gets Personal for President*, N.Y. Times (July 12, 2017), <https://www.nytimes.com/2017/07/12/us/politics/trump-says-son-is-innocent-amid-reports-of-russia-meeting.html?mcubz=0>; Darren Samuelsohn, *Russia Probes Pose Loyalty Test for Team Trump*, Politico (Sept. 9, 2017), <http://www.politico.com/story/2017/09/12/trump-russia-investigation-loyalty-242570>.

<sup>22</sup> Adam Davidson, *Trump's Business of Corruption*, New Yorker (Aug. 21, 2017), <https://www.newyorker.com/magazine/2017/08/21/trumps-business-of-corruption>.

<sup>23</sup> See, e.g., Brad Heath et. al., *Trump Gets Millions from Golf Members. CEOs and Lobbyists Get Access to President*, USA Today (Sept. 6, 2017), <https://www.usatoday.com/story/news/2017/09/06/trump-gets-millions-golf-members-ceos-and-lobbyists-get-access-president/632505001/>.

<sup>24</sup> See, e.g., Sarah Posner, *What If Our System Can't Handle Trump's Out-of-control Self-dealing?*, Wash. Post (Sept. 6, 2017), <https://www.washingtonpost.com/blogs/plum-line/wp/2017/09/06/what-if-our-system-cant-handle-trumps-out-of-control-self-dealing/>.

### **Conclusion**

Thank you for your prompt attention to this matter. Please direct communications and furnish the applicable records to:

**Richard Behar**

P.O. Box 1205  
New York, NY 10021  
Behar@richardbehar.com  
Rbehar@forbes.com

If the request is denied in whole or part, please justify all withholdings and redactions by reference to specific FOIA exemptions. Please release all segregable portions of otherwise exempt material, pursuant to 5 U.S.C. § 552(b).

Given the time sensitivity of this request, I ask that you communicate any questions you may have by phone or email, rather than regular mail. Also, if the requested records cannot be provided by email, please notify me as soon as they are available, and I will arrange to collect them by courier to avoid additional delay.

Your prompt attention to this request is greatly appreciated.

Respectfully,

/S/ Richard Behar  
Richard Behar  
Contributing Editor of  
Investigations  
*Forbes* magazine  
New York  
Behar@richardbehar.com  
Rbehar@forbes.com

# **EXHIBIT B**



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**From:** (b) (6), (b) (7)(C) (ATL)  
**Sent:** Monday, August 01, 2016 10:17 AM  
**To:** (b) (6), (b) (7)(C) (RTC)  
**Subject:** MOGUL Press Charter - Name Check Spreadsheet (As of 08-01-2016) (2).xls  
**Attachments:** MOGUL Press Charter - Name Check Spreadsheet (As of 08-01-2016) (2).xls

Let me know if this is good. I will let you save it where/how you want. I have them both saved under the Muse file too.

Last Name	First Name	Middle Name	DOB	SSN	Citizen	Country	Gender	City
Allegri	Carlo	NMN	(b) (6), (b) (7)(C)				M	
Ayers	James	Nicholas					M	
Cialdella	Michael	NMN					M	
Deb	Sopan	NMN					M	
Diamond	Jeremy	NMN					M	
Dollman	Sean	Ray					M	
Gray	Noah	NMN					M	
Grisham	Stephanie	NMN					F	
Holland	Steve	NMN					M	
Jacobs	Jennifer	NMN					F	
Killough	Ashley	Carinne					F	
Lemire	Jonathan	NMN					M	
Martosko	David	NMN					M	
McCammon	Sarah	NMN					F	
Miller	Jason	James					M	
Santucci	John	NMN					M	
Slopsema	Brian	NMN					M	
Smith	Candace	Makeda					F	
Vucci	Evan	NMN					M	
Whitaker	Steven	Bruce					M	

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C) (ATL)  
**Sent:** Monday, August 08, 2016 8:11 AM  
**To:** (b) (6), (b) (7)(C) (RTC)  
**Subject:** MOGUL Press Charter - Name Check Spreadsheet (As of 08-01-2016) (2).xls  
**Attachments:** MOGUL Press Charter - Name Check Spreadsheet (As of 08-01-2016) (2).xls

Names without identifiers



# **EXHIBIT C**

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, August 16, 2016 1:27 PM  
**To:**

(b) (6), (b) (7)(C)

**Subject:** FW: Update - Mogul Milwaukee Visit  
**Attachments:** (b) (7)(E)

(b) (6), (b) (7)(C)  
U.S. Secret Service  
Los Angeles Field Office  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** 8/16/2016 6:58 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Update - Mogul Milwaukee Visit

Sir,

(b) (7)(E)

Last night's countdown meeting revealed WI Governor Scott Walker will be joining the visit and in our motorcade at some point. (b) (7)(E) Also, Rudy Giuliani will accompany Mogul on this trip, (b) (7)(E) . There is also discussions for Milwaukee County Sheriff David Clarke to accompany Mogul throughout the visit.

(b) (7)(E)

Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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**From:**  
**Sent:**  
**To:**

(b) (6), (b) (7)(C)

Monday, January 16, 2017 9:14 AM

(b) (6), (b) (7)(C)

**Cc:**

**Subject:**

PREPARE FOR POTENTIAL MOGUL OTR TO LOBBY AT 1415 HOURS

All,



Mogul has a meeting today with Martin Luther King III and several other individuals 1300 hours – 1415 hours. (b) (7)(E)

(b) (7)(E)

All The Best,

(b) (6), (b) (7)(C)

Special Agent

Presidential Protective Division

U.S. Secret Service

(b) (6), (b) (7)(C)

# **EXHIBIT D**

New Haven, CT 06520

W: [203-436-5831](tel:203-436-5831)

F: [203-432-3034](tel:203-432-3034)



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**From:** "Normand, Sarah (USANYS)" <[Sarah.Normand@usdoj.gov](mailto:Sarah.Normand@usdoj.gov)>

**Date:** Wednesday, May 2, 2018 at 10:52 AM

**To:** Ned Levin <[ned.levin@YLSCLinics.org](mailto:ned.levin@YLSCLinics.org)>

**Cc:** Alexandra Dudding <[sasha.dudding@ylsclinics.org](mailto:sasha.dudding@ylsclinics.org)>, "Langford, John" <[john.langford@yale.edu](mailto:john.langford@yale.edu)>

**Subject:** RE: Behar v. USDHS, 17 Civ. 8153 (LAK)

Dear Counsel:

This will confirm that the US Secret Service has completed review of over 1000 emails for the month of April 2018, pursuant to the Joint Stipulation and Order entered by the Court in this case. The USSS identified one potentially responsive record (or group of records), which will be reviewed to determine whether it is an agency record(s) and, if so, whether any exemptions apply.

The emails reviewed in April, as well as those reviewed in late February and March, were captured by the search conducted pursuant to Paragraph 1 of the Joint Stipulation. USSS has now completed its review of the Paragraph 1 emails.

We also note that in the course of its review of the Paragraph 1 emails, the USSS identified some schedules that included references to future meetings with Mr. Trump. However, none of those schedules reflected any screening or notation of individuals by the USSS, and thus they were not identified as responsive to plaintiff's FOIA request.

Sarah

Sarah S. Normand

Deputy Chief, Civil Division

U.S. Attorney's Office, SDNY

86 Chambers Street, Third Floor

New York, NY 10007

212-637-2709

[sarah.normand@usdoj.gov](mailto:sarah.normand@usdoj.gov)

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**From:** Ned Levin <[ned.levin@YLSCLinics.org](mailto:ned.levin@YLSCLinics.org)>

**Sent:** Thursday, April 5, 2018 5:46 PM

**To:** Normand, Sarah (USANYS) <[SNormand@usa.doj.gov](mailto:SNormand@usa.doj.gov)>

**Cc:** Alexandra Dudding <[sasha.dudding@ylsclinics.org](mailto:sasha.dudding@ylsclinics.org)>; Langford, John <[john.langford@yale.edu](mailto:john.langford@yale.edu)>

**Subject:** Re: Behar v. USDHS, 17 Civ. 8153 (LAK)

Hi Sarah,

Thanks for your confirmation earlier this week. Would you mind asking the agency if they could let us know what date range or date ranges these first 1000 emails fall into?

# **EXHIBIT E**

May 14, 2018

**BY U.S. MAIL, E-MAIL, AND ONLINE PORTAL**

James Holzer  
Deputy, FOIA Officer  
Building 410, Mail Stop #0655  
245 Murray Lane, SW  
Washington, DC 20528-0655  
foia@hq.dhs.gov

**Re: Expedited Freedom of Information Act Request**

To whom it may concern:

My name is Richard Behar, and I am an award-winning<sup>1</sup> investigative journalist, and the Contributing Editor of Investigations at *Forbes* magazine.<sup>2</sup> In the past year, I have reported extensively on President Donald Trump.<sup>3</sup> This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

**Background**

I am the plaintiff in the FOIA lawsuit captioned *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y.). That lawsuit concerns a FOIA request I submitted on September 22, 2017, tracking number 2018-HQFO-00026. That earlier request sought “[r]ecords identifying every individual who was screened and/or noted by the Secret Service because they (a) sought to visit [Donald Trump and/or members of his family and campaign], and/or (b) sought access to any secured area where any of [those individuals] were present.” *See* Compl. Ex. A, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Oct. 23, 2017), ECF No. 1-1.

On February 21, 2018, the Court entered an order detailing the search to be conducted by the Secret Service for responsive records. Joint Stipulation and Order, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Feb. 21, 2018), ECF No. 23. Paragraph 1 of the order requires the Secret Service to search a set of emails (including attachments) of the

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<sup>1</sup> *Bio*, Richard Behar, <http://www.richardbehar.com/richard-behar-biography.html> (last visited Sept. 20, 2017).

<sup>2</sup> *Contributor: Richard Behar*, *Forbes*, <https://www.forbes.com/sites/richardbehar/#3aec44817705> (last visited Sept. 20, 2017).

<sup>3</sup> *See* Richard Behar, *Donald Trump and the Felon: Inside His Business Dealings with a Mob-Connected Hustler*, *Forbes* (Oct. 3, 2016), <https://www.forbes.com/sites/richardbehar/2016/10/03/donald-trump-and-the-felon-inside-his-business-dealings-with-a-mob-connected-hustler/#572299e72282>; Richard Behar, *The Kazakhstan Connection: Trump, Bayrock and Plenty of Questions*, *DCReport* (Sept. 12, 2017), <https://www.dcreport.org/2017/05/12/the-kazakhstan-connection-trump-bayrock-and-plenty-of-questions/>; Richard Behar, *How Felix Sater — Former Mob-linked Hustler And Ex-Trump Adviser — Sought To ‘Protect’ Ukraine’s Nuclear Plants*, *Nat’l Memo* (May 25, 2017), <http://www.nationalmemo.com/felix-sater-ex-trump-adviser-ukraines-nuclear-plants/>.

USSS Detail Leaders, Assistant Detail Leaders, and Operations Supervisors for protectee Donald Trump (to the extent those officials could be determined from USSS work schedules) dated November 1, 2015, to January 21, 2017, that contain the name or code name of USSS protectees Donald Trump, Eric Trump, Donald Trump, Jr., or Ivanka Trump (the “Email Set”) for a list of terms or names, including the following:

**Terms:**

- Mayflower
- Wikileaks
- NRA
- Russia

**Names:**

- Alexander Machkevich
- Alexander Mirtchev
- Alexander Torshin
- Andrii Artemenko
- Aras Agalorv
- Betsy DeVos
- Boris Epshteyn
- Dana Rohrabacher
- Devin Nunes
- Dmitry Rybolovlev
- Ed Rogers
- Elliot Broidy
- Erik Prince
- Felix Sater
- George G. Lombardi
- George Papadopoulos
- Giorgi Rtskhiladze
- Irakly Kaveladze
- JD Gordon
- Kairat Kelimbetov
- Len Blavatnik
- Maria Butina
- Mikhail Prokhorov
- Natalia Veselnitskaya
- Nigel Farage
- Rick Dearborn
- Rick Gates
- Robert Armao
- Roger Stone
- Sergey Kislyak
- Tefvik Arif

- Tom Barrack
- Vladimir Putin
- Yuri Vanetik

*Id.*

On May 2, 2018, counsel for the Secret Service sent my counsel in the case an email containing the following paragraph:

[I]n the course of its review of the Paragraph 1 emails, the USSS identified some schedules that included references to future meetings with Mr. Trump. However, none of those schedules reflected any screening or notation of individuals by the USSS, and thus they were not identified as responsive to plaintiff's FOIA request.

A true and correct copy of that email is attached as Exhibit A.

### **Requested Records**

Without waiving my contention that references to individuals at future meetings are within the scope of my original request, I hereby specifically request the following records:

- All schedules identified by the USSS that are referenced in the May 2, 2018, email (attached as Exhibit A), including all references to future meetings with Mr. Trump.
- Any additional documents the USSS locates in conducting the searches described in the Joint Stipulation and Order, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Feb. 21, 2018), ECF No. 23, that reference any individuals attending or expected to attend meetings with Mr. Trump and/or the Trump family members and/or campaign officials described in my September 22, 2017 FOIA request (attached as Exhibit B).

### **Form**

With respect to the form of production for both requests, *see* 5 U.S.C. § 552(a)(3)(B), the I request that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the I request that the records be provided electronically in a text searchable, static image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates stamped files.

### **Application for Expedited Processing**

Pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e)(1)(ii), I request expedited processing for this request because it involves an urgency to inform the public about actual federal government activity and I am making it as a reporter primarily engaged in disseminating

information.<sup>4</sup> Specifically, I am making this request so as to disseminate this information to the public, in light of the broad public interest in who the prospective president (and his colleagues) were meeting with prior to his inauguration. Furthermore, the subject of this request concerns a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. 6 C.F.R. § 5.5(e)(1)(iv).

The subject of this request is a matter of widespread and exceptional media interest. Since the Obama Administration, White House visitor logs have been available to the public, and have proven to be an invaluable resource in determining the outside influences on the President. The Trump Administration, however, has refused to release those records.<sup>5</sup> This issue is the subject of headline-making litigation and has been covered by media publications including *CNN*,<sup>6</sup> *The Washington Post*,<sup>7</sup> *Time*,<sup>8</sup> *Politico*,<sup>9</sup> and *The New York Times*.<sup>10</sup> Furthermore, on March 6, 2017, eight Senators sent letters to the President and the Secret Service urging the public release of the WAVES data.<sup>11</sup> On July 14, 2017, in response to a suit filed by several government watchdog groups, a federal judge ruled that the Secret Service had to release certain Mar-a-Lago visitor logs.<sup>12</sup> Despite this, the Secret Service has withheld almost all Mar-a-Lago visitor logs, releasing only 22 names of foreign dignitaries and staffers related to Japanese Prime

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<sup>4</sup> In the past year, I have reported extensively on President Donald Trump. *See supra* note 3.

<sup>5</sup> *See* Dave Boyer, *Trump Won't Release White House Visitor Logs, Reverses Obama Policy*, Wash. Post (April 14, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html); Spencer S. Hsu, *Trump White House is Still Holding Back Visitor Information, Watchdog Group Says*, Wash. Post (Aug. 17, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html).

<sup>6</sup> *See, e.g.*, Laura Jarrett and Cristina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>7</sup> *See, e.g.*, *The White House's Secretiveness Is Getting So Bad, It's Probably Illegal*, Wash. Post (Aug. 20, 2017), [https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496_story.html).

<sup>8</sup> *See, e.g.*, Zeke J. Miller, *The White House Will Keep Its Visitor Logs Secret*, Time (Apr. 14, 2017), <http://time.com/4740499/white-house-visitor-logs-public-record-trump/>.

<sup>9</sup> *See, e.g.*, Josh Dawsey and Nolan D. McCaskill, *White House Says it Won't Make Visitor Logs Public*, Politico (April 14, 2017), <http://www.politico.com/story/2017/04/white-house-says-it-wont-make-visitor-logs-public-237235>.

<sup>10</sup> *See, e.g.*, Eric Lipton, *Trump Declines to Release List of His Mar-a-Lago Visitors*, N.Y. Times (Sept. 15, 2017), <https://www.nytimes.com/2017/09/15/us/politics/trump-declines-to-release-list-of-his-visitors-at-mar-a-lago.html>.

<sup>11</sup> *See, e.g.*, *Wyden Calls on Trump to Release White House Visitor Logs*, News Channel 21 (Mar. 7, 2017), <http://www.ktvz.com/news/wyden-calls-on-trump-to-release-white-house-visitor-logs/381476106>.

<sup>12</sup> Adam Edelman, *Trump Must Release Mar-a-Lago Visitor Logs, Judge Rules*, NBC News (July 17, 2017), <https://www.nbcnews.com/politics/donald-trump/trump-must-release-mar-lago-visitor-logs-judge-rules-n783686>.



Minister Shinzo Abe's February trip.<sup>13</sup> On August 17, 2017, the public interest group Public Citizen filed a lawsuit against the Secret Service demanding public access to visitor logs for several agencies located in the White House.<sup>14</sup>

The need for information extends to logs taken before the President's inauguration as significant media attention has been focused on the propriety of the Trump campaign's actions on behalf of the President's friends and supporters.<sup>15</sup> Furthermore, the need for information extends to visitor logs pertaining to not only the President, but members of the President's campaign, who are likely to further influence the President. This need is exemplified by numerous publications reporting on Robert Mueller's investigation of the Trump campaign's ties to Russia,<sup>16</sup> meetings between members of the President's family and a Russian lawyer shortly after the president's Republican nomination,<sup>17</sup> and allegations of corruption extending before the President's inauguration.<sup>18</sup>

Moreover, the need for this information is underlined by recent concerns raised about the President's use of his properties, such as Trump National Golf Club and Mar-a-Lago,<sup>19</sup> as well as significant financial stakes in "more than 500 businesses."<sup>20</sup>

I certify that the information above is true and correct to the best of my knowledge, pursuant to 6 C.F.R. § 5.5(e)(3).

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<sup>13</sup> Laura Jarrett and Christina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN Politics (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>14</sup> Josh Gerstein, *Suit Demands Visitor Logs for Parts of White House*, Politico (Aug. 17, 2017), <http://www.politico.com/blogs/under-the-radar/2017/08/17/lawsuit-trump-white-house-visitor-logs-241744>.

<sup>15</sup> Amanda Terkel, *Hillary Clinton Won't Rule Out Questioning the Legitimacy of Donald Trump's Election*, HuffPost (Sept. 18, 2017), [http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy\\_us\\_59c01f2de4b0f22c4a8bcb71](http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy_us_59c01f2de4b0f22c4a8bcb71); Matt Ferner, *Rep. John Lewis: Trump Is Not A 'Legitimate President'*, HuffPost (Jan. 13, 2017), [http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate\\_us\\_58792bfee4b0b3c7a7b1303a](http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate_us_58792bfee4b0b3c7a7b1303a).

<sup>16</sup> *With Russia Investigation, Plenty to See Here*, USA Today (Sept. 18, 2017), <https://www.usatoday.com/story/opinion/2017/09/18/russia-investigation-plenty-see-here-editorials-debates/674777001/>.

<sup>17</sup> See, e.g., Mark Lander and Maggie Haberman, *With Glare on Trump Children, Political Gets Personal for President*, N.Y. Times (July 12, 2017), <https://www.nytimes.com/2017/07/12/us/politics/trump-says-son-is-innocent-amid-reports-of-russia-meeting.html?mcubz=0>; Darren Samuelsohn, *Russia Probes Pose Loyalty Test for Team Trump*, Politico (Sept. 9, 2017), <http://www.politico.com/story/2017/09/12/trump-russia-investigation-loyalty-242570>.

<sup>18</sup> Adam Davidson, *Trump's Business of Corruption*, New Yorker (Aug. 21, 2017), <https://www.newyorker.com/magazine/2017/08/21/trumps-business-of-corruption>.

<sup>19</sup> See, e.g., Brad Heath et. al., *Trump Gets Millions from Golf Members. CEOs and Lobbyists Get Access to President*, USA Today (Sept. 6, 2017), <https://www.usatoday.com/story/news/2017/09/06/trump-gets-millions-golf-members-ceos-and-lobbyists-get-access-president/632505001/>.

<sup>20</sup> See, e.g., Sarah Posner, *What If Our System Can't Handle Trump's Out-of-control Self-dealing?*, Wash. Post (Sept. 6, 2017), <https://www.washingtonpost.com/blogs/plum-line/wp/2017/09/06/what-if-our-system-cant-handle-trumps-out-of-control-self-dealing/>.

### **Application for Fee Waiver**

I request that the Secret Service waive the search, review, and duplication fees associated with this request. The requested records are not sought for commercial use. I am a journalist, and seek these records for use in my reporting. I am therefore entitled to a waiver of search fees and review fees, and a waiver or reduction of duplication fees, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) and 6 C.F.R. § 5.11(6).

I certify that the information above is true and correct to the best of my knowledge.

### **Conclusion**

Thank you for your prompt attention to this matter. Please direct communications and furnish the applicable records to:

#### **Richard Behar**

P.O. Box 1205  
New York, NY 10021  
Behar@richardbehar.com  
Rbehar@forbes.com

If the request is denied in whole or part, please justify all withholdings and redactions by reference to specific FOIA exemptions. Please release all segregable portions of otherwise exempt material, pursuant to 5 U.S.C. § 552(b).

Given the time sensitivity of this request, I ask that you communicate any questions you may have by phone or email, rather than regular mail. Also, if the requested records cannot be provided by email, please notify me as soon as they are available, and I will arrange to collect them by courier to avoid additional delay.

Your prompt attention to this request is greatly appreciated.

Respectfully,

/S/ Richard Behar  
Richard Behar  
Contributing Editor of  
Investigations  
Forbes magazine  
New York  
Behar@richardbehar.com  
Rbehar@forbes.com



# **EXHIBIT A**

Monday, May 14, 2018 at 4:00:27 PM Eastern Daylight Time

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**Subject:** RE: Behar v. USDHS, 17 Civ. 8153 (LAK)  
**Date:** Wednesday, May 2, 2018 at 10:51:23 AM Eastern Daylight Time  
**From:** Normand, Sarah (USANYS)  
**To:** Ned Levin  
**CC:** Alexandra Dudding, Langford, John

Dear Counsel:

This will confirm that the US Secret Service has completed review of over 1000 emails for the month of April 2018, pursuant to the Joint Stipulation and Order entered by the Court in this case. The USSS identified one potentially responsive record (or group of records), which will be reviewed to determine whether it is an agency record(s) and, if so, whether any exemptions apply.

The emails reviewed in April, as well as those reviewed in late February and March, were captured by the search conducted pursuant to Paragraph 1 of the Joint Stipulation. USSS has now completed its review of the Paragraph 1 emails.

We also note that in the course of its review of the Paragraph 1 emails, the USSS identified some schedules that included references to future meetings with Mr. Trump. However, none of those schedules reflected any screening or notation of individuals by the USSS, and thus they were not identified as responsive to plaintiff's FOIA request.

Sarah

Sarah S. Normand  
Deputy Chief, Civil Division  
U.S. Attorney's Office, SDNY  
86 Chambers Street, Third Floor  
New York, NY 10007  
212-637-2709  
sarah.normand@usdoj.gov

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**From:** Ned Levin <ned.levin@YLSClinics.org>  
**Sent:** Thursday, April 5, 2018 5:46 PM  
**To:** Normand, Sarah (USANYS) <SNormand@usa.doj.gov>  
**Cc:** Alexandra Dudding <sasha.dudding@ylsclinics.org>; Langford, John <john.langford@yale.edu>  
**Subject:** Re: Behar v. USDHS, 17 Civ. 8153 (LAK)

Hi Sarah,

Thanks for your confirmation earlier this week. Would you mind asking the agency if they could let us know what date range or date ranges these first 1000 emails fall into?

Thanks,  
Ned

**From:** "Normand, Sarah (USANYS)" <[Sarah.Normand@usdoj.gov](mailto:Sarah.Normand@usdoj.gov)>  
**Date:** Monday, April 2, 2018 at 2:30 PM  
**To:** "Langford, John" <[john.langford@yale.edu](mailto:john.langford@yale.edu)>  
**Subject:** Behar v. USDHS, 17 Civ. 8153 (LAK)

Hi John:

This will confirm that the USSS completed its review of the first 1000 emails pursuant to the Stipulation and Order, and identified no records identifying individuals who were screened or noted by the USSS because they either sought to visit Donald Trump or other listed individuals or sought access to a secured area in which those individuals were present.

Regards,  
Sarah

Sarah S. Normand  
Deputy Chief, Civil Division  
U.S. Attorney's Office, SDNY  
86 Chambers Street, Third Floor  
New York, NY 10007  
(212) 637-2709  
[Sarah.Normand@usdoj.gov](mailto:Sarah.Normand@usdoj.gov)

# **EXHIBIT B**

September 22, 2017

**BY U.S. MAIL, E-MAIL, AND ONLINE PORTAL**

James Holzer  
Deputy, FOIA Officer  
Building 410, Mail Stop #0655  
245 Murray Lane, SW  
Washington, DC 20528-0655  
foia@hq.dhs.gov

**Re: Expedited Freedom of Information Act Request**

To whom it may concern:

My name is Richard Behar, and I am an award-winning<sup>1</sup> investigative journalist, and the Contributing Editor of Investigations at *Forbes* magazine.<sup>2</sup> In the past year, I have reported extensively on President Donald Trump.<sup>3</sup> This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

**Background**

Then-candidate Donald Trump received Secret Service protection in November 2015.<sup>4</sup> At various points over the next several years, additional members of the Trump family and affiliates with the Trump Campaign and Trump Organization received Secret Service protection as well.<sup>5</sup> This request seeks records of great and urgent public interest<sup>6</sup>—Secret Service records related to

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<sup>1</sup> *Bio*, Richard Behar, <http://www.richardbehar.com/richard-behar-biography.html> (last visited Sept. 20, 2017).

<sup>2</sup> *Contributor: Richard Behar*, *Forbes*, <https://www.forbes.com/sites/richardbehar/#3aec44817705> (last visited Sept. 20, 2017).

<sup>3</sup> See Richard Behar, *Donald Trump and the Felon: Inside His Business Dealings with a Mob-Connected Hustler*, *Forbes* (Oct. 3, 2016), <https://www.forbes.com/sites/richardbehar/2016/10/03/donald-trump-and-the-felon-inside-his-business-dealings-with-a-mob-connected-hustler/#572299e72282>; Richard Behar, *The Kazakhstan Connection: Trump, Bayrock and Plenty of Questions*, *DCReport* (Sept. 12, 2017), <https://www.dcreport.org/2017/05/12/the-kazakhstan-connection-trump-bayrock-and-plenty-of-questions/>; Richard Behar, *How Felix Sater — Former Mob-linked Hustler And Ex-Trump Adviser — Sought To ‘Protect’ Ukraine’s Nuclear Plants*, *Nat’l Memo* (May 25, 2017), <http://www.nationalmemo.com/felix-sater-ex-trump-adviser-ukraines-nuclear-plants/>.

<sup>4</sup> Jim Acosta & Jeremy Diamond, *Donald Trump, Ben Carson Getting Secret Service Protection*, *CNN* (Nov. 5, 2015), <http://www.cnn.com/2015/11/05/politics/donald-trump-ben-carson-secret-service/index.html>.

<sup>5</sup> See, e.g., Tom Llamas et al., *Ivanka Trump Receiving Her Own Secret Service Protection*, *ABC News* (Sept. 19, 2016), <http://abcnews.go.com/Politics/ivanka-trump-secret-service-protection/story?id=42196407>; Anna Wener et al., *The Cost to Taxpayers of Protecting Trump’s Kids on Overseas Business Trips*, *CBS News* (Feb. 27, 2017), <https://www.cbsnews.com/news/how-much-does-protecting-trumps-children-on-overseas-business-trips-cost-taxpayers>.

<sup>6</sup> See *infra* Application for Expedited Processing.



visitors to Donald Trump and his affiliates during the time when they were under Secret Service Protection prior to President Trump's inauguration.

### Requested Records

I request the following records:

(1) Records identifying every individual who was screened and/or noted by the Secret Service because they (a) sought to visit any of the following individuals, and/or (b) sought access to any secured area where any of the following were present:

- a. Donald Trump;
- b. Eric Trump;
- c. Donald Trump, Jr.;
- d. Ivanka Trump;
- e. Jared Kushner;
- f. Paul Manafort;
- g. Michael Flynn;
- h. Corey Lewandowski;
- i. Michael Cohen;
- j. Stephen Bannon; and/or
- k. Kellyanne Conway.

The information sought by this request includes, but is not limited to, any Worker and Visitor Entrance System (WAVES) records and Access Control Records (ACR). The request includes, but is not limited to, visitors to Trump Tower, Mar-a-Lago, Bedminster Golf Club, and, to the extent available, the twenty-eight fields of data that were previously released under the Obama Administration for White House visitors.<sup>7</sup>

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<sup>7</sup> See *White House Visitor Records*, The White House, <http://obamawhitehouse.archives.gov/goodgovernment/tools/visitor-records> [<http://perma.cc/EL2T-5XC4>] (last visited Sept. 20, 2017). The twenty-eight fields consist of the following:

- NAMELAST
- NAMEFIRST
- NAMEMID
- UIN
- BDGNBR
- ACCESS\_TYPE
- TOA
- POA
- TOD
- POD
- APPT\_MADE\_DATE
- APPT\_START\_DATE
- APPT\_END\_DATE
- APPT\_CANCEL\_DATE
- Total\_People
- LAST\_UPDATEDBY

- (2) All records concerning any communication between the Secret Service and any individual employed by and/or affiliated with either the Trump Campaign and/or the Trump Organization regarding any individual screened and/or noted by the Secret Service identified in the records produced in response to request one.

#### Time Period

Both requests are limited to records of individuals screened or noted by the Secret Service between November 1, 2015, and January 21, 2017. Both include, but are not limited to, records related to visitors to Mar-a-Lago and Trump Tower

#### Form

With respect to the form of production for both requests, *see* 5 U.S.C. § 552(a)(3)(B), the I request that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the I request that the records be provided electronically in a text searchable, static image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates stamped files.

#### **Application for Expedited Processing**

Pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e)(1)(ii), I request expedited processing for this request because it involves an urgency to inform the public about actual federal government activity and I am making it as a reporter primarily engaged in disseminating information.<sup>8</sup> Specifically, I am making this request so as to disseminate this information to the public, in light of the broad public interest in who the prospective president (and his colleagues) were meeting with prior to his inauguration. Furthermore, the subject of this request concerns a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. 6 C.F.R. § 5.5(e)(1)(iv).

The subject of this request is a matter of widespread and exceptional media interest. Since the Obama Administration, White House visitor logs have been available to the public, and

- 
- POST
  - LASTENTRYDATE
  - TERMINAL\_SUFFIX
  - visitee\_namelast
  - visitee\_namefirst
  - MEETING\_LOC
  - MEETING\_ROOM
  - CALLER\_NAME\_LAST
  - CALLER\_NAME\_FIRST
  - CALLER\_ROOM
  - DESCRIPTION
  - Release\_Date

<sup>8</sup> In the past year, I have reported extensively on President Donald Trump. *See supra* note 3.

have proven to be an invaluable resource in determining the outside influences on the President. The Trump Administration, however, has refused to release those records.<sup>9</sup> This issue is the subject of headline-making litigation and has been covered by media publications including *CNN*,<sup>10</sup> *The Washington Post*,<sup>11</sup> *Time*,<sup>12</sup> *Politico*,<sup>13</sup> and *The New York Times*.<sup>14</sup> Furthermore, on March 6, 2017, eight Senators sent letters to the President and the Secret Service urging the public release of the WAVES data.<sup>15</sup> On July 14, 2017, in response to a suit filed by several government watchdog groups, a federal judge ruled that the Secret Service had to release certain Mar-a-Lago visitor logs.<sup>16</sup> Despite this, the Secret Service has withheld almost all Mar-a-Lago visitor logs, releasing only 22 names of foreign dignitaries and staffers related to Japanese Prime Minister Shinzo Abe's February trip.<sup>17</sup> On August 17, 2017, the public interest group Public Citizen filed a lawsuit against the Secret Service demanding public access to visitor logs for several agencies located in the White House.<sup>18</sup>

The need for information extends to logs taken before the President's inauguration as significant media attention has been focused on the propriety of the Trump campaign's actions

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<sup>9</sup> See Dave Boyer, *Trump Won't Release White House Visitor Logs, Reverses Obama Policy*, Wash. Post (April 14, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html); Spencer S. Hsu, *Trump White House is Still Holding Back Visitor Information, Watchdog Group Says*, Wash. Post (Aug. 17, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html).

<sup>10</sup> See, e.g., Laura Jarrett and Cristina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>11</sup> See, e.g., *The White House's Secretiveness Is Getting So Bad, It's Probably Illegal*, Wash. Post (Aug. 20, 2017), [https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496_story.html).

<sup>12</sup> See, e.g., Zeke J. Miller, *The White House Will Keep Its Visitor Logs Secret*, Time (Apr. 14, 2017), <http://time.com/4740499/white-house-visitor-logs-public-record-trump/>.

<sup>13</sup> See, e.g., Josh Dawsey and Nolan D. McCaskill, *White House Says it Won't Make Visitor Logs Public*, Politico (April 14, 2017), <http://www.politico.com/story/2017/04/white-house-says-it-wont-make-visitor-logs-public-237235>.

<sup>14</sup> See, e.g., Eric Lipton, *Trump Declines to Release List of His Mar-a-Lago Visitors*, N.Y. Times (Sept. 15, 2017), <https://www.nytimes.com/2017/09/15/us/politics/trump-declines-to-release-list-of-his-visitors-at-mar-a-lago.html>.

<sup>15</sup> See, e.g., *Wyden Calls on Trump to Release White House Visitor Logs*, News Channel 21 (Mar. 7, 2017), <http://www.ktvz.com/news/wyden-calls-on-trump-to-release-white-house-visitor-logs/381476106>.

<sup>16</sup> Adam Edelman, *Trump Must Release Mar-a-Lago Visitor Logs, Judge Rules*, NBC News (July 17, 2017), <https://www.nbcnews.com/politics/donald-trump/trump-must-release-mar-lago-visitor-logs-judge-rules-n783686>.

<sup>17</sup> Laura Jarrett and Christina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN Politics (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>18</sup> Josh Gerstein, *Suit Demands Visitor Logs for Parts of White House*, Politico (Aug. 17, 2017), <http://www.politico.com/blogs/under-the-radar/2017/08/17/lawsuit-trump-white-house-visitor-logs-241744>.

on behalf of the President's friends and supporters.<sup>19</sup> Furthermore, the need for information extends to visitor logs pertaining to not only the President, but members of the President's campaign, who are likely to further influence the President. This need is exemplified by numerous publications reporting on Robert Mueller's investigation of the Trump campaign's ties to Russia,<sup>20</sup> meetings between members of the President's family and a Russian lawyer shortly after the president's Republican nomination,<sup>21</sup> and allegations of corruption extending before the President's inauguration.<sup>22</sup>

Moreover, the need for this information is underlined by recent concerns raised about the President's use of his properties, such as Trump National Golf Club and Mar-a-Lago,<sup>23</sup> as well as significant financial stakes in "more than 500 businesses."<sup>24</sup>

I certify that the information above is true and correct to the best of my knowledge, pursuant to 6 C.F.R. § 5.5(e)(3).

### Application for Fee Waiver

I request that the Secret Service waive the search, review, and duplication fees associated with this request. The requested records are not sought for commercial use. I am a journalist, and seek these records for use in my reporting. I am therefore entitled to a waiver of search fees and review fees, and a waiver or reduction of duplication fees, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) and 6 C.F.R. § 5.11(6).

I certify that the information above is true and correct to the best of my knowledge.

---

<sup>19</sup> Amanda Terkel, *Hillary Clinton Won't Rule Out Questioning the Legitimacy of Donald Trump's Election*, HuffPost (Sept. 18, 2017), [http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy\\_us\\_59c01f2de4b0f22c4a8bcb71](http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy_us_59c01f2de4b0f22c4a8bcb71); Matt Ferner, *Rep. John Lewis: Trump Is Not A 'Legitimate President'*, HuffPost (Jan. 13, 2017), [http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate\\_us\\_58792bfee4b0b3c7a7b1303a](http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate_us_58792bfee4b0b3c7a7b1303a).

<sup>20</sup> *With Russia Investigation, Plenty to See Here*, USA Today (Sept. 18, 2017), <https://www.usatoday.com/story/opinion/2017/09/18/russia-investigation-plenty-see-here-editorials-debates/674777001/>.

<sup>21</sup> See, e.g., Mark Lander and Maggie Haberman, *With Glare on Trump Children, Political Gets Personal for President*, N.Y. Times (July 12, 2017), <https://www.nytimes.com/2017/07/12/us/politics/trump-says-son-is-innocent-amid-reports-of-russia-meeting.html?mcubz=0>; Darren Samuelsohn, *Russia Probes Pose Loyalty Test for Team Trump*, Politico (Sept. 9, 2017), <http://www.politico.com/story/2017/09/12/trump-russia-investigation-loyalty-242570>.

<sup>22</sup> Adam Davidson, *Trump's Business of Corruption*, New Yorker (Aug. 21, 2017), <https://www.newyorker.com/magazine/2017/08/21/trumps-business-of-corruption>.

<sup>23</sup> See, e.g., Brad Heath et. al., *Trump Gets Millions from Golf Members. CEOs and Lobbyists Get Access to President*, USA Today (Sept. 6, 2017), <https://www.usatoday.com/story/news/2017/09/06/trump-gets-millions-golf-members-ceos-and-lobbyists-get-access-president/632505001/>.

<sup>24</sup> See, e.g., Sarah Posner, *What If Our System Can't Handle Trump's Out-of-control Self-dealing?*, Wash. Post (Sept. 6, 2017), <https://www.washingtonpost.com/blogs/plum-line/wp/2017/09/06/what-if-our-system-cant-handle-trumps-out-of-control-self-dealing/>.

### Conclusion

Thank you for your prompt attention to this matter. Please direct communications and furnish the applicable records to:

**Richard Behar**

P.O. Box 1205  
New York, NY 10021  
Behar@richardbehar.com  
Rbehar@forbes.com

If the request is denied in whole or part, please justify all withholdings and redactions by reference to specific FOIA exemptions. Please release all segregable portions of otherwise exempt material, pursuant to 5 U.S.C. § 552(b).

Given the time sensitivity of this request, I ask that you communicate any questions you may have by phone or email, rather than regular mail. Also, if the requested records cannot be provided by email, please notify me as soon as they are available, and I will arrange to collect them by courier to avoid additional delay.

Your prompt attention to this request is greatly appreciated.

Respectfully,

/s/ Richard Behar  
Richard Behar  
Contributing Editor of  
Investigations  
*Forbes* magazine  
New York  
Behar@richardbehar.com  
Rbehar@forbes.com

# **EXHIBIT F**



**DEPARTMENT OF HOMELAND SECURITY**  
UNITED STATES SECRET SERVICE  
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Act Program  
Communications Center  
245 Murray Lane, SW, Building T-5  
Washington, D.C. 20223

Via e-mail: Behar@richardbehar.com

Date: JUN 11 2018

Richard Behar  
P. O. Box 1205  
New York, NY 10021

File Numbers: 20180866 and 20180867

Dear Mr. Behar:

This letter is the final response to your recent Freedom of Information Act (FOIA) request to the United States Secret Service (Secret Service) dated May 14, 2018, for information pertaining to schedules and meetings with then candidate and President-elect Trump and with certain family members and campaign workers.

In response to your request, the Secret Service has identified responsive documents. These documents are being withheld for the following reasons:

As an initial matter, the responsive documents are not "agency records." The schedules of candidate Trump and President-elect Trump provided to the Secret Service by the campaign and/or transition team are the property of a private entity which is not subject to FOIA. *Cf. Judicial Watch, Inc. v. United States Secret Service*, 726 F.3d 208, 231 (2013) ("Congress did not intend to authorize FOIA requestors to obtain indirectly from the Secret Service information that it had expressly barred requesters from obtaining directly from the President.") The Secret Service does not exercise the requisite control over these records to satisfy the definition of an "agency record."

Further, even if the schedules were agency records, they would be withheld in full subject to Title 5, United States Code, §552 b(6), b(7)(c), and b(7)(e) as information the release of which would constitute a clearly unwarranted invasion of personal privacy, information compiled for law enforcement purposes the disclosure of which could leave to an unwarranted invasion of personal privacy, and/or information which would disclose techniques and procedures for law enforcement the disclosure of which could risk circumvention of the law. The citation of the above exemptions is not to be construed as the only exemptions which may apply under the FOIA.

If you deem this decision to be an adverse determination, you may exercise your appeal rights. Should you wish to file an administrative appeal, your appeal should be made in writing and received within sixty (60) days of the date of this letter, by writing to: Freedom of Information Appeal, Deputy Director, United States Secret Service, Communications Center, 245 Murray Lane,

SW, Building T-5, Washington, DC 20223. If you choose to file an administrative appeal, please explain the basis of your appeal and reference the case numbers listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Campbell", written in a cursive style.

Kim E. Campbell  
Special Agent In Charge  
Freedom of Information Act & Privacy Act Officer



# **EXHIBIT G**

July 2, 2018

**BY MAIL**

Freedom of Information Appeal  
Deputy Director  
United States Secret Service  
Communications Center  
245 Murray Lane SW  
Building T-5  
Washington, DC 20223

**Re: Freedom of Information Act Appeal for Case Numbers 20180866 and  
20180867**

To Whom It May Concern:

This is a Freedom of Information Act Appeal regarding a FOIA request to the United States Secret Service (USSS), numbered 20180866 & 20180867.

My name is Richard Behar, and I am an award-winning<sup>1</sup> investigative journalist, and the Contributing Editor of Investigations at *Forbes* magazine.<sup>2</sup> In the past year, I have reported extensively on President Donald Trump.<sup>3</sup> This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

On May 14, 2018, I submitted a request for records identifying persons who met with Mr. Trump, Trump family members, or campaign officials between November 1, 2015 and January 21, 2017. A true and correct copy of that request, including exhibits to that request, is attached here as Exhibit A. On June 11, 2018, the USSS denied my request, informing me that it has identified responsive documents but is withholding all of them. Through this letter, I appeal USSS's determination that it is not required to produce the documents.

---

<sup>1</sup> *Bio*, Richard Behar, <http://www.richardbehar.com/richard-behar-biography.html> (last visited Sept. 20, 2017).

<sup>2</sup> *Contributor: Richard Behar*, *Forbes*, <https://www.forbes.com/sites/richardbehar/#3aec44817705> (last visited Sept. 20, 2017).

<sup>3</sup> See Richard Behar, *Donald Trump and the Felon: Inside His Business Dealings with a Mob-Connected Hustler*, *Forbes* (Oct. 3, 2016), <https://www.forbes.com/sites/richardbehar/2016/10/03/donald-trump-and-the-felon-inside-his-business-dealings-with-a-mob-connected-hustler/#572299e72282>; Richard Behar, *The Kazakhstan Connection: Trump, Bayrock and Plenty of Questions*, *DCReport* (Sept. 12, 2017), <https://www.dcreport.org/2017/05/12/the-kazakhstan-connection-trump-bayrock-and-plenty-of-questions/>; Richard Behar, *How Felix Sater — Former Mob-linked Hustler And Ex-Trump Adviser — Sought To 'Protect' Ukraine's Nuclear Plants*, *Nat'l Memo* (May 25, 2017), <http://www.nationalmemo.com/felix-sater-ex-trump-adviser-ukraines-nuclear-plants/>.

### **Background**

I am the plaintiff in a FOIA lawsuit captioned *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y.). That lawsuit concerns my September 22, 2017, request to USSS for “[r]ecords identifying every individual who was screened and/or noted by the Secret Service because they (a) sought to visit [Donald Trump and/or members of his family and campaign], and/or (b) sought access to any secured area where any of [those individuals] were present.” *See* Compl. Ex. A, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Oct. 23, 2017), ECF No. 1-1.

On February 21, 2018, the Court entered an order detailing the search to be conducted by the Secret Service for responsive records. Joint Stipulation and Order, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Feb. 21, 2018), ECF No. 23. Paragraph 1 of the order requires the Secret Service to search a set of emails (including attachments) of the USSS Detail Leaders, Assistant Detail Leaders, and Operations Supervisors for protectee Donald Trump (to the extent those officials could be determined from USSS work schedules) dated November 1, 2015, to January 21, 2017, that contain the name or code name of USSS protectees Donald Trump, Eric Trump, Donald Trump, Jr., or Ivanka Trump (the “Email Set”) for a list of terms or names, including the following:

#### **Terms:**

- Mayflower
- Wikileaks
- NRA
- Russia

#### **Names:**

- Alexander Machkevich
- Alexander Mirtchev
- Alexander Torshin
- Andrii Artemenko
- Aras Agalorv
- Betsy DeVos
- Boris Epshteyn
- Dana Rohrabacher
- Devin Nunes
- Dmitry Rybolovlev
- Ed Rogers
- Elliot Broidy
- Erik Prince
- Felix Sater
- George G. Lombardi
- George Papadopoulos

- Giorgi Rtskhiladze
- Irakly Kaveladze
- JD Gordon
- Kairat Kelimbetov
- Len Blavatnik
- Maria Butina
- Mikhail Prokhorov
- Natalia Veselnitskaya
- Nigel Farage
- Rick Dearborn
- Rick Gates
- Robert Armao
- Roger Stone
- Sergey Kislyak
- Tevfik Arif
- Tom Barrack
- Vladimir Putin
- Yuri Vanetik

*Id.*

On May 2, 2018, counsel for the Secret Service sent my counsel in the case an email containing the following paragraph:

[I]n the course of its review of the Paragraph 1 emails, the USSS identified some schedules that included references to future meetings with Mr. Trump. However, none of those schedules reflected any screening or notation of individuals by the USSS, and thus they were not identified as responsive to plaintiff's FOIA request.

On May 14, 2018, without waiving my contention that references to individuals at future meetings are within the scope of my original request, I filed a second request for the following records:

- All schedules identified by the USSS that are referenced in the May 2, 2018, email (attached as Exhibit A), including all references to future meetings with Mr. Trump.
- Any additional documents the USSS locates in conducting the searches described in the Joint Stipulation and Order, *Behar v. U.S. Department of Homeland Security*, No. 17-cv-8153 (S.D.N.Y. Feb. 21, 2018), ECF No. 23, that reference any individuals attending or expected to attend meetings with Mr. Trump and/or the Trump family members and/or campaign officials described in my September 22, 2017 FOIA request (attached as Exhibit B).

A true and correct copy of that request, including exhibits to that request, is attached as Exhibit A.

On June 11, 2018, the USSS emailed me a letter to inform me that it has located responsive documents but is withholding them. A true and correct copy of that determination letter is attached as Exhibit B. The USSS offers two justifications for withholding the documents. First, it contends that the documents are not “agency records” within the meaning of FOIA because they are property of candidate Trump and President-elect Trump. Second, it contends that if the records are “agency records” within the meaning of FOIA, they would be withheld in full under FOIA exemptions (b)(6), (b)(7)(C), and (b)(7)(E). Neither justification is sufficient to withhold the records.

### **Argument**

#### **I. The Schedules Are “Agency Records” Subject to FOIA**

Contrary to the USSS’s determination, the schedules are “agency records” subject to FOIA. Records are “agency records” under FOIA whenever (1) they are “create[d] or obtain[ed]” by an agency; and (2) “the agency [is] . . . in control of the requested material at the time the FOIA request is made.” *U.S. Dep’t of Justice v. Tax Analysts*, 492 U.S. 136, 145 (1989). There can be no dispute that the agency “obtained” the schedules at issue here or that they were in the agency’s possession at the time of the request. The only issue is whether USSS exercises control over the records such that they are subject to FOIA.

To determine whether an agency has sufficient control over a document to make it an “agency record,” courts look to four factors: (1) the intent of the document’s creator to retain or relinquish control over the records; (2) the ability of the agency to use and dispose of the record as it sees fit; (3) the extent to which agency personnel have read or relied upon the document; and (4) the degree to which the document was integrated into the agency’s record system or files. *Am. Civil Liberties Union v. C.I.A.*, 823 F.3d 655, 662 (D.C. Cir. 2016). All four factors weigh in favor of a determination that the schedules are under USSS’s control and therefore are agency records.

As for the first factor, there is no evidence that candidate Trump or his campaign intended to maintain control over the schedules. Presumably, the campaign sent those schedules to USSS freely in order to enable USSS to carry out its obligations to protect the candidate. By sending the schedules to various members of the USSS absent any agreement or reasonable expectation that the campaign would maintain control of those schedules thereafter, the campaign evidenced an intent to relinquish control over those schedules.

Similarly, USSS points to no restriction on its ability to use and/or dispose of the schedules as it sees fit. From the circumstances in which these records were located, we know that the schedules appear in emails to members of USSS. Presumably, neither candidate Trump

nor his campaign had any authority to restrict the USSS's use of those schedules or its authority to dispose of them.

The third factor weighs heavily in favor of a determination that the schedules are agency records: USSS members undoubtedly read and relied on the schedules in order to carry out its duty to protect candidate Trump and/or members of his campaign. Indeed, the point of sharing the schedules with USSS was precisely to enable USSS to coordinate with the campaign and facilitate its ability to protect the candidate.

The fourth factor also weighs in favor of a determination that the schedules are agency records. The D.C. Circuit has indicated that maintaining files on an agency's servers without a short-term schedule for removing those records indicates that records are sufficiently integrated into an agency's files to render them records subject to FOIA. *Cf. Judicial Watch, Inc. v. U.S. Secret Serv.*, 726 F.3d 208, 220 (D.C. Cir. 2013). Here, the schedules were disseminated to members of the USSS detail(s) assigned to protect candidate Trump to facilitate its ability to protect the candidate and maintained on USSS's servers. Given that the records remain there nearly two years after their creation, there was no short-term schedule for removing those records from Secret Service's files. Accordingly, they were sufficiently integrated into USSS's files to render them agency records subject to FOIA.

The USSS's initial letter cites *Judicial Watch, Inc. v. U.S. Secret Serv.*, 726 F.3d 208, 231 (D.C. Cir. 2013), for the proposition that the schedules are "the property of a private entity which is not subject to FOIA." Ex. B at 1. However, the cited passage does not support that proposition. Instead, it supports the proposition that at least some *Presidential* records lie outside the scope of FOIA and may not be indirectly obtained through USSS. *See Judicial Watch*, 726 F.3d at 231. But, as Congress made clear in the Presidential Records Act of 1978, "Presidential records" include those records created or received by *the President*, not records created or received by candidates or President-elects:

"Presidential records" means documentary materials . . . created or received *by the President*, the President's immediate staff, or a unit or individual of the Executive Office of the President whose function is to advise or assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of *the President*.

44 U.S.C. § 2201. The schedules here are not records created or received *by the President*; they are records created by candidate and/or President-elect Trump or his campaign.

## II. FOIA's Privacy Exemptions Do Not Permit Withholding the Schedules

Contrary to USSS's initial determination neither of FOIA's privacy exemptions—*i.e.* exemptions (b)(6) and (b)(7)(C)—permit USSS to withhold the schedules.

Exemption (b)(6) permits agencies to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6). Similarly, Exemption (b)(7)(C) permits agencies to withhold “records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information . . . could reasonably be expected to constitute an unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(7)(C).

In general, all of FOIA’s exemptions, including Exemptions 6 and 7(C), must be narrowly construed so that FOIA’s purpose is not subverted. “The basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed.” *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214, 242 (1978). Accordingly, the statute reflects “a general philosophy of full agency disclosure unless information is exempted under clearly delineated statutory language.” *Dep’t of Air Force v. Rose*, 425 U.S. 352, 360–61 (1976). Each of FOIA’s limited exemptions, in turn, “must be narrowly construed” to ensure that they “do not obscure the basic policy that disclosure, not secrecy, is the dominant objective of [FOIA].” *Id.* at 361.<sup>4</sup>

It is black-letter law that DHS and USSS may not withhold the names of visitors to protectees under FOIA Exemptions 6 and 7(C). *Judicial Watch, Inc. v. U.S. Secret Serv.*, 579 F. Supp. 2d 151 (D.D.C. 2008). In *Judicial Watch, Inc.*, Citizens for Responsibility and Ethics in Washington (CREW) requested records of visits by private individuals to the White House from the Department of Homeland Security. *Id.* at 152. DHS identified responsive records but sought leave from the court to redact the names of the individuals under FOIA Exemptions 6 and 7(C). *Id.* at 154. The district court rejected DHS’s invocation of FOIA’s privacy exemptions outright. *Id.* It explained that “[t]he claimed FOIA Exemptions protect only against ‘unwarranted’ invasions of personal privacy,” and, “[g]iven the public interest in the information and the relatively minor privacy invasion associated with this disclosure,” names of visitors to the White House do not fall “within the scope of either Exemption 6 or Exemption 7(C).” *Id.*<sup>5</sup>

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<sup>4</sup> The presumption in favor of disclosure is particularly strong when agencies invoke Exemption 6. That exemption permits agencies to withhold only those portions of personnel and medical files “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6). While Exemption 6 requires agencies to balance an “individual’s right of privacy against the preservation of the basic purpose of [FOIA] to open agency action to the light of public scrutiny,” the phrase “clearly unwarranted” reflects Congress’s “considered and significant determination” to tilt the balance in favor of disclosure. *Dep’t of Air Force v. Rose*, 425 U.S. 352, 372, 378 n.16 (1976); accord. *Getman v. N. L. R. B.*, 450 F.2d 670, 674 (D.C. Cir. 1971). As such, FOIA’s “presumption in favor of disclosure [for personnel and medical files] is as strong as can be found anywhere in the Act.” *Washington Post Co. v. U.S. Dep’t of Health & Human Servs.*, 690 F.2d 252, 261 (D.C. Cir. 1982). Exemption 6 therefore allows an agency to withhold only “facts which, if public, could subject [a] person to harassment, disgrace, loss of employment, or friends.” *Am. Fed’n of Gov’t Employees, Local 1760, AFL-CIO v. Fed. Labor Relations Auth.*, 786 F.2d 554, 556 (2d Cir. 1986). And notably, it is “the very ‘production’ of the documents which must ‘constitute a clearly unwarranted invasion of personal privacy’”; “[t]he text of the Exemption does not apply to an invasion of privacy produced as a secondary effect of the release.” *Arieff v. U.S. Dep’t of Navy*, 712 F.2d 1462, 1468 (D.C. Cir. 1983).

<sup>5</sup> See also *U.S. Dep’t of State v. Ray*, 502 U.S. 164, 176 n.12 (1991) (instructing that lists of names are not automatically exempt from disclosure under Exemption 6); *Getman v. N. L. R. B.*, 450 F.2d 670, 675 (D.C. Cir. 1971) (holding that the simple disclosure of “[a] bare name” is not protected by Exemption 6 as it “give[s] no information about an individual which is embarrassing”); cf. *Patterson v. I.R.S.*, 56 F.3d 832, 839 n.10 (7th Cir. 1995) (observing that while addresses of government employees might be protected under FOIA, “job titles, office



The calculus is precisely the same here. The public has a significant interest in records of individuals who visited candidate Trump, President-elect Trump, or high-level officials in his campaign because those records would shed light on why those individuals sought to visit the candidate and indicate whether and to what extent private individuals hold sway with the current administration.

### **III. FOIA's Law Enforcement Exemption for Techniques and Procedures Do Not Permit Withholding the Schedules**

Exemption (b)(7)(E) permits agencies to withhold "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information . . . would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law." 5 U.S.C. § 552(b)(7)(E). Under this exemption, the government must "demonstrate logically how the release of the requested information might create a risk of circumvention of the law." *Shapiro v. United States Dep't of Justice*, No. 17-5122, 2018 WL 3117203, at \*4 (D.C. Cir. June 26, 2018). No doubt, the government's burden under Exemption 7(E) is a relatively low bar. *Id.* But it still cannot clear that bar here.

USSS offers no explanation of why disclosing the mere names of individuals would create a risk of individuals circumventing the law. Nor could it. Disclosing the names of individuals who planned to visit candidate Trump or a secure area at which candidate Trump or members of his campaign were located would not permit individuals who seek to visit future candidates from circumventing law enforcement investigations or prosecutions.

To the extent that disclosing names *and* additional information about USSS's security measures or protection efforts would create a risk of circumvention of law enforcement investigations or prosecutions, USSS may redact the additional information. 5 U.S.C. § 552(b).

### **Conclusion**

For the reasons above, USSS's initial refusal to produce records responsive to my second FOIA request is contrary to law. Thank you for your prompt attention to this matter. Please direct communications and furnish the applicable records to:

**Richard Behar**

P.O. Box 1205  
New York, NY 10021

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locations, telephone numbers, ethnic or racial backgrounds, salaries, etc.," "depending on the circumstances" and "viewed in isolation[,] would not even be protected by exemption 7(C) let alone exemption 6"); *see generally Rose*, 425 U.S. at 380 n.19 (agencies must demonstrate a causal relationship between the release of a list of names and a "palpable," not merely possible, injury to significant privacy interests of those listed); *Ray*, 502 U.S. at 176 n.12 (same).



Behar@richardbehar.com  
Rbehar@forbes.com

Given the time sensitivity of this request, I ask that you communicate any questions you may have by phone or email, rather than regular mail. Also, if the requested records cannot be provided by email, please notify me as soon as they are available, and I will arrange to collect them by courier to avoid additional delay.

Your prompt attention to this request is greatly appreciated.

Respectfully,

/s/ Richard Behar  
Richard Behar  
Contributing Editor of  
Investigations  
*Forbes* magazine  
New York  
Behar@richardbehar.com  
Rbehar@forbes.com

# **EXHIBIT H**



U.S. Department of Homeland Security  
**UNITED STATES SECRET SERVICE**

AUG - 8 2018

Via e-mail: [Behar@richardbehar.com](mailto:Behar@richardbehar.com)

Richard Behar  
P. O. Box 1205  
New York, NY 10021

File Numbers: 20180866 and 20180867

Dear Mr. Behar:

Reference is made to your Freedom of Information Act (FOIA) appeal received by the United States Secret Service (Secret Service) by electronic mail from Assistant United States Attorney Sarah Normand on August 1, 2018, appealing the initial determination withholding documents located by the Secret Service in response to the above-referenced FOIA requests.

In your response, you appeal the Agency's determination that the records located are not agency records subject to the FOIA. Having reviewed your argument and the facts of this matter, it has been determined that the Secret Service does not exercise the requisite control over the records that were located to satisfy the definition of an "agency record."

In addition, you appealed the determination that, if for any reason it was determined that these records were agency records, they would be subject to withholding in full pursuant to Title 5, United States Code, Sections 552 b(6), (b)(7)(c) and b(7)(e). Upon review of this matter, it has been determined that these exemptions are still applicable to the records. Therefore, your appeal is denied.

Under federal law, we are required to advise you that any decision on appeal is subject to judicial review in the district court in the district where the complainant resides, has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

Sincerely,

A handwritten signature in blue ink, which appears to read "W. Callahan", is positioned above the printed name.

William J. Callahan  
Deputy Director

# **EXHIBIT I**

[Protection](#) [Investigation](#) [About](#) [Join](#) [Press & Media](#) [Contact](#)

## 2016 Presidential Campaign ▼

- [Who receives protection?](#)
- [What is the history of candidate/nominee protection?](#)

Candidate and nominee protection was expanded to include major candidates for president and vice president in 1968:

- Major candidates and their spouses began receiving protection after the assassination of Robert Kennedy in 1968. PL-90-331 was passed June 6, 1968. (Language since adopted into 3056).
- Prior to this event, candidates and their families did not receive Secret Service protection
- Protection of a candidate/nominee is designed to maintain the integrity of the democratic process and continuity of government

## About the United States Secret Service ►

## Protecting Yourself ►

## Employment Opportunities ►

## Frequently Asked Questions by Kids ►

# **EXHIBIT J**

And, in lieu thereof, insert:

"Sec. 502. Section 5(b) of the Act entitled 'An Act creating a commission to be known as the Commission on Obscenity and Pornography', approved October 3, 1967 (Public Law 90-100), is amended by striking out 'January 31, 1970' and inserting in lieu thereof 'July 31, 1970'."

Mr. MONRONEY. Mr. President, I shall later move that the committee amendment beginning on line 19 of page 9 and ending on line 3 of page 10 and the committee amendment beginning on line 6 and ending on line 7 of page 10 be rejected. I will explain the bill and will then make my motion to strike this language and the reason why the committee believes it advisable to speed the passage of the pending measure without going to conference at that time.

The VICE PRESIDENT. The Senator will state them individually.

Mr. MONRONEY. Yes.

Mr. President, the Committee on Appropriations has authorized me to present to the Senate its report on the pending bill, H.R. 16489, making appropriations for the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies for fiscal year 1969.

Senators will find on their desks printed copies of the bill and the committee report, together with copies of the hearings, and I will now present to the Senate a brief summary of what is contained in the bill in the way of increases and decreases.

The bill which is recommended to the Senate provides new budget obligatory authority in the amount of \$1,781,053,000. This amount consists of definite appropriations in the amount of \$1,030,877,000 and indefinite appropriations in the amount of \$750,176,000. The grand total of titles I, III, and IV—new budget obligatory authority—and title II—authorizations out of the postal fund—is in the amount of \$8,158,877,000. This amount is an increase of \$3,253,000 over the House allowance, \$613,236,000 over the 1968 appropriation and \$178,832,000 under the estimates for fiscal 1969.

In connection with the Post Office Department only one change was made from the House bill as regards additional funds. The committee increased the item, "Research, development, and engineering," by \$1 million, thus allowing a total of \$35 million for the Bureau of Research and Engineering. The committee felt that this will help to advance and accelerate the research and development programs now being undertaken by that Bureau.

This is perhaps the only way in which we can move forward to deliver more mail with less cost and less manpower. Our committee was very strongly of the opinion that this was the best way in which to arrive at long-range economies in handling this fast and ever-growing load on the post office system.

The overall postal department allowance provides for approximately 20,300 additional new employees for 1969 over 1968 to cope with the ever-increasing mail volume estimated to be around 84 billion pieces in 1969. The committee has included language in the bill to provide the department with a 5-percent transfer authority between appropriations.

This is done at the informal request of the House. We hope to have it accepted by the House without conference. I will offer an amendment to strike this section from the bill.

No changes were made to the House bill under title III of the bill. Items under this title deal in the main with the Executive Office of the President.

These items were carefully studied and heard, and we believe the cost is at a bedrock bottom.

Under title IV—Independent agencies—the committee recommends an increase of \$125,000 for the Administrative Conference of the United States. This will give the Conference their full budget request of \$250,000 which had been reduced by half by the House. The committee was informed that the Conference is now fully organized and ready to undertake its assigned duties.

Another addition, under this title, to the House bill, was made to the New Commission on Obscenity and Pornography. The committee has restored \$418,000 cut by the House and, as recommended, the bill contains the budget estimate of \$643,000 for this Commission. The head of this Commission has now been appointed and he needs the funds to move ahead on contracting for research on special problems and to organize and fully staff the Commission. Because there has been a delay of over 6 months in the establishment of the Commission, the committee has also added language which would extend the life of the Commission to July 31, 1970.

Under title I—Treasury Department—the committee has recommended three relatively small cuts under the Budget estimates and under the appropriations voted by the House. Twenty thousand dollars was cut from the Office of the Secretary, thus allowing \$7,668,000 for activities under this head for 1969. As explained in the report this cut is made to strike out funds for the two fellowships requested. While the committee does not oppose the fellowship program, it was felt that in this year of stringent budgeting this item could be put over for another year. The same reasoning applied to a cut of \$70,000 in the \$21,700,000 voted by the House for salaries and expenses for the Internal Revenue Service. Let me emphasize that this is not a cut in either the compliance activities or the revenue accounting and processing item. Under the House bill and the bill before the Senate, approximately 1,550 additional new employees have been funded for 1969 over 1968. The slight reduction imposed represents a cut of 10 positions in the Washington headquarters which after the cut results in their having 30 more positions than in 1968.

The final cut was made to the request for funds for the construction of outdoor firing ranges at Beltsville, Md. The budget estimate of \$1 million was reduced \$200,000 by the committee thus allowing a total of \$800,000 for this purpose. These will be very modern and have the capability of training our law-enforcement agencies, not only the Secret Service, but also the Capitol Police, the immigration inspectors, and many other Government law-enforcement agencies, as well.

While it is believed that construction of outdoor firing ranges should go forward to accommodate the Secret Service and all other Treasury Department law-enforcement agencies with modern, up-to-date facilities, it was the sense of the committee that \$800,000 was sufficient to commence construction of the project.

The last item deals with section 502 of the bill as passed the House. This section contained language imposing an overall expenditure limitation of not to exceed \$7,461,423,000. The Senate committee has deleted this language in its entirety. Witnesses testified that the language could be characterized either as being meaningless on the one hand or unworkable on the other.

Mr. President, this is a brief summary of what is contained in the bill. A more detailed explanation will be found in the committee report which is on the desks of the Senators. In presenting this report I wish to thank the members of the subcommittee who attended the meetings and rendered able assistance in the formulation of this bill—particularly, the distinguished senior Senator from Colorado, who was most helpful in writing up this bill, as well as the ranking minority member, Senator CASE. The subcommittee and full committee unanimously agreed upon this bill when it was reported yesterday.

I now come to a most significant item in this bill. Approximately 2 weeks ago, the President discussed with me the possibility of extending Secret Service protection to the major presidential and vice-presidential candidates during this election year. I indicated to him my willingness to consider this item, out of order, and to talk to other members of my subcommittee about it. The President promptly made available to the subcommittee, the officials of the Treasury Department, and the head of the Secret Service, to explain this provision thoroughly.

On May 27, the subcommittee met in executive session to consider this matter and to take testimony from these officials. After hearing the testimony, it was decided to include language to authorize this protection and to provide the additional funds to the Secret Service in the amount of \$2 million for this purpose.

The language in the bill has been cleared with the appropriate members of the House and Senate Judiciary Committees, the House Appropriations Committee, as well as the leaders of both Houses. No objection has been raised to making this language a part of the current appropriation bill.

Mr. President, it is most important and urgent, in the operation of the U.S. Secret Service, that its appropriation be increased from \$19,300,000 to \$21,300,000, of which \$400,000 shall be immediately available.

I may say that \$500,000 of this appropriation is also to be held back in contingency reserve, to be used as necessary; because the work that the Secret Service and other Government agencies must achieve and the time and hours and expenses they must incur are unascertainable on a definite basis at this time, because it embraces work that has never been done before.



June 6, 1968

## CONGRESSIONAL RECORD — SENATE

16169

However, in the light of the tragic events of the past week, we should realize that this is of greatest and utmost urgency, because it threatens the very keystone of our governmental structure, and that is the proper selection, by democratic means—and that means exposure to all the citizens of the United States, if possible—of the person of the candidate. These tragic events have shown that this is a hazardous undertaking today, and we must not ignore our responsibilities for the men who offer themselves for these major positions.

The committee recommends that the Secret Service be specifically authorized, in addition to its other duties now provided by law, to protect major presidential or vice-presidential candidates. No words can express our shock at the tragic death of our colleague, Senator ROBERT F. KENNEDY. This senseless act of violence makes it clear to the committee—and to every American—that it is in the public interest to provide protection to major candidates who are daily exposed to the hazards and risks of national political campaigns.

May I say, as I read the newspapers carefully with respect to this tragedy, that it might not have been prevented, but there would have been a great chance that his security would be enormously increased had the provisions of the bill we are now considering provided Senator KENNEDY with the services not only of the Secret Service but also, as the bill provides, the helping hand to the Secret Service of the narcotics agents, the FBI, the immigration inspectors, and other law-enforcement branches.

As I read the accounts, the tragedy occurred in the exit going through the hallway to the kitchen. I know the Secret Service and the FBI well enough that if that was the planned exit for the Senator, there would have been surveillance of that particular point. In many instances, with mob scenes, there is no way in which that safety can be assured, but danger can be materially lessened by the presence on duty of these men and, if necessary, the presence on duty of military detachments; because this lessens to a great degree—it will not prevent, but will lessen—the exposure to abnormal dangers that this week has shown that the men who campaign for high office may be subject to.

Mr. President, I am happy to yield to the distinguished Senator from New York.

Mr. JAVITS. First, Mr. President, let me say that I join with the distinguished Senator from Oklahoma [Mr. MONRONEY] in his views, as he has expressed them, as he expressed them in the committee. I believe this is a most salutary provision, and it is just heart-breaking that we should not have thought of it sooner. I thoroughly agree with the Senator because I, too, have some experience with these security procedures, having been attorney general of my own State.

I thoroughly agree with the Senator that it is inconceivable that Senator KENNEDY would even have been led through such a passage, with the ad-

vance routing which the Secret Service always works out. So I thoroughly agree.

Now, we had two problems in committee. I believe we have dealt with them both decently, and I would not dream of interrupting the Senator—

Mr. MONRONEY. I am happy to yield, because I desire to clear up this matter. I believe it is an important point in the discussion. I believe we have achieved an end and guarantee the methods sought to achieve that end by the distinguished Senator from New York.

Mr. JAVITS. Two points arose that have troubled us, Mr. President. The first point was already incorporated in the provision which Senator MONRONEY had presented, and that was the question of who is a major candidate and is he a candidate before he is a nominee—that is, designated by a convention.

The understanding of the legislative history should be clear that by the use of the words "major presidential candidate" we mean one who has not yet been nominated by his party convention, and we mean one who the decider—in this particular instance, as carried in the provision—in consultation—and the consultation is extremely important—with the leadership in the House and Senate, will have decided that so-and-so is a major presidential candidate. He might even be a sectional candidate.

We spoke of former Governor Wallace in that regard. He, too, could be within that definition of a major presidential candidate.

Mr. MONRONEY. The Senator is correct. And there may be other major candidates before we move forward with the final election, if they have some degree of interstate prominence as shown by opinion polls or in some other way. I would feel certain they could have this protection.

I do not think we dare reach down to people who run for publicity only, as in the cases of some of those who have appeared before various committees demanding equal time on network programs because major candidates were so provided.

This is not an unworkable problem nor is it an unsolvable problem. We have protected the selection by guaranteeing that there will be a nonpartisan commission of the highest level that could make the final decision after the recommendation of the Secretary of the Treasury, who is the titular head of the Secret Service.

(At this point, Mr. McGOVERN assumed the chair.)

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield.

Mr. JAVITS. It is very important that this matter be made clear, because the language which is contained at page 6, line 15, and thereafter indicates rather general language which would seem to give the complete determination of the question to the Secretary of the Treasury. However, I am satisfied, having locked the matter in with the legislative history which the Senator from Oklahoma and I are now making, and considering the sensitivity and seriousness of the matter, that it will be administered in that way.

I notice the Senator used the word "commission." That is what we have in mind, although the legislation at page 6 on line 19 uses the term "advisory committee."

I am satisfied, considering the sensitivity and solemnity of what is being done, and with this legislative history, that it will be administered as the Senator and I and the committee have in mind.

Mr. MONRONEY. I am sure the Senator is correct. I am sure the language on page 6, line 15 to line 19 where it provides, "the protection of persons who are determined by the Secretary of the Treasury from time to time as being major presidential or vice presidential candidates who should receive such protection—unless the candidate has declined such protection—after consultation with an advisory committee" will be applicable after consultation with an advisory committee, and this shows the intent of the law that they are to have a great part in designating the persons who will have protection.

Certainly, I feel they will lean on the side of security. Certainly, in the case which the Senator mentioned, the former Governor of Alabama would be entitled to such protection. The other area was by polls, or publicity, or by general judgment of people who have lived in the field of presidential elections for a long time.

I believe we have done about as well as we could do. Time is fleeting. We felt this matter had to be underway, and tomorrow is too late. Last week would have been most helpful but we did have time to work out, after we had executive hearings, the settlement of committee jurisdiction which the distinguished Senator, who is a member of the Committee on the Judiciary, knows is a tremendous hurdle. After time in consultation we cleared this matter with the chairmen of the Committee on the Judiciary of both Houses and their members.

We cleared the matter in many other ways and we carefully considered the testimony.

I hope it will be understood that we did have executive sessions because the publicity on lack of protection for these men who are not guarded by the Secret Service caused in itself a tragedy. We have been working quietly and both the minority and the majority side cooperated in presenting this bill today.

We have stricken out some things we would have liked to have in the measure, because the House of Representatives might have held it up and made it necessary to go to conference. We recognize the emergency and we feel, in striking the amendment which the committee added, we will have acceptance by the House, thereby making it unnecessary to go through another period of delay.

I would like to see this bill passed by the Senate today, agreed to by the House, and signed by the President this evening. I know the President wants to get that done, too.

Mr. JAVITS. There was one other consideration in our minds which has not been fully expressed. When a candidate is a Governor, generally, he has the protection of his State police organization.



# **EXHIBIT K**

POLITICO



POLITICO



2016

## Trump received \$1.6 million from Secret Service

The agency pays to travel with all presidential nominees, but in Trump's case, that money went to one of his companies.

By ISAAC ARNSDORF and KENNETH P. VOGEL | 09/22/2016 07:11 PM EDT



"The taxpayers are actually reimbursing Trump for the travel of the Secret Service agents," a campaign finance lawyer said. | Getty

Donald Trump's campaign isn't alone in patronizing his own businesses: taxpayers are indirectly doing so, too.

Federal Election Commission records show that the U.S. Secret Service has paid the Trump campaign about \$1.6 million to cover the cost of flying its agents with the

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campaigns for the cost of traveling with the candidates.

In fact, the Secret Service has reimbursed the Clinton campaign, too: \$2.6 million so far this cycle.

The difference with Trump is that one of his companies, TAG Air, Inc., owns the plane, so the government is effectively paying him.

The Clinton campaign, by contrast, mostly has been chartering planes from a private company called Executive Fliteways in which the Clintons do not have any ownership interest.

"The taxpayers are actually reimbursing Trump for the travel of the Secret Service agents," said Brett Kappel, a campaign finance lawyer at the law firm Akerman LLP. "It's just another example of how the Trump campaign has taken an unprecedentedly large amount of its money and spent it at Trump-owned facilities."

ADVERTISING



2016

## Trump's campaign paid his businesses \$8.2 million

By KENNETH P. VOGEL and ISAAC ARNSDORF

Trump campaign spokeswoman Hope Hicks responded to questions about the Secret Service payments by saying "everything was done in accordance with FEC guidelines and regulations. Please direct further questions to USCC."

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A POLITICO analysis of FEC records found that, through the end of August, Trump's campaign has spent at least \$8.2 million at Trump's own businesses, including to hold events at his hotels, buy food from his restaurants and rent office space for its headquarters in his Manhattan office tower.

But the biggest chunk of the expenses, almost \$6 million, were to TAG Air, Inc.

Trump, who once said "I could be the first presidential candidate to run and make money on it," has attracted criticism for mixing business and politics to an unprecedented degree. He has made a point of highlighting his properties on the campaign trail, leading opponents to accuse him of using his presidential bid to promote his brand and line his pockets.

The campaign in a statement on Thursday rejected that criticism as "misleading and flat out wrong," pointing out that the amount the campaign spent at Trump's businesses is far less than the \$54 million of his own money that Trump has pumped into the campaign.

The statement explained the campaign's payments to TAG Air and other Trump-owned companies by saying "the campaign has used known quantities as far as event space, air travel and accommodations, and has fulfilled all FEC requirements throughout the campaign."

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## Trump forces lagged Clinton in August money race

By ISAAC ARNSDORF and KENNETH P. VOGEL

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The government's practice of reimbursing campaigns for costs incurred by their Secret Service details dates from an era when campaigns were lower-budget affairs, the logic being candidates shouldn't have to use their own resources on required security, according to Craig Engle, a political lawyer at Arent Fox who helped draft the provision as a staffer at the Federal Election Commission.

"It's basically just calling it even," Engle said. "It's either Trump making a contribution to the U.S. government, or the U.S. government reimburses the Trump campaign for its expenses."

The same rationale applies to journalists who travel with the presidential candidates. The journalists or their employers reimburse the campaigns for travel costs. So it's

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The Secret Service could also end up paying Trump's hotels to put up his agents when the candidate stays there. But those expenses don't appear in FEC reports because the government pays them directly.

The agency paid the Trump campaign an additional \$724,000 for air travel that was refunded, according to the FEC reports, which do not offer an explanation for the refund.

Of course, Trump also travels on the campaign trail with his own robust private security detail. In August, Trump's campaign spent \$232,800 on security-related costs, including payments to private companies such as Xmark LLC, Black Tie Protection Services and KS Global Group, as well as local police in places he visited.

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# **EXHIBIT L**

## FORTUNE

# Trump's Companies Made \$1.6 Million Off the Secret Service

By SY MUKHERJEE September 23, 2016

Donald Trump is making millions off his own Secret Service detail.

The Service is tasked with protecting high-ranking government officials and presidential candidates (among other duties) like Trump. Since this protection is mandatory, it's common practice for the Service to reimburse campaigns for travel expenses. But it looks like the \$1.6 million the Service recently paid the Trump campaign went right back to Trump's business interests, according to [Politico](#).

The business mogul and his security detail regularly fly on the Trump-owned jet service, TAG Air. The firm also manages Trump's fleet of private planes. So the money the Service pays back goes right back to his business. Politico reviewed Federal Election Commission filings and found that TAG has already made \$6 million off Trump's campaign.

For comparison, Democratic candidate Hillary Clinton charts planes from a private company called Executive Fliteways, one where the Clintons do not have any ownership interest, Politico reported.

It's [not the only way](#) that Trump has been profiting from his White House run.

Last week, he finally admitted President Obama was [born in the United States](#) at his hotel in Washington, D.C., earning free media coverage for what CNN's Jake Tapper later called a "political rick roll." Trump's campaign has spent major sums on rent at his hotels and buying copies of his own books, too. He's even previously stated that he may wind up actually making money from his presidential bid.





# **EXHIBIT M**

# First on CNN: US Secret Service overpaid presidential campaigns \$4 million for plane travel

By [Rene Marsh](#), CNN

Updated 6:50 PM ET, Thu May 31, 2018



**Washington (CNN)** — The US Secret Service overpaid presidential campaigns an estimated \$4 million for plane travel during the 2016 election, a government watchdog says in a new report obtained by CNN.

Secret Service officials realized eight months before Election Day that they were using the wrong formula to calculate the costs, "but did not ensure the agency reverted to its longstanding policy," according to the Government Accountability Office report.

The Secret Service, which incurred millions of dollars in travel expenses to provide security during presidential campaigns, said it has asked the campaigns that were overpaid to provide the government refunds.

GAO said the Secret Service spent an estimated \$58 million on travel expenses related to the campaigns. Of that total, \$17.1 million was paid to the campaigns of Donald Trump, Hillary Clinton, Bernie Sanders and Ben Carson as reimbursements for seats occupied by Secret Service agents onboard campaign charter flights.

The report did not detail how much each campaign was overpaid, nor did it accuse the campaigns of wrongdoing.

The Secret Service did not respond to a request from CNN for more detailed figures. It said in a statement it is "working with all stakeholders in an effort to recover the overpaid amounts."

In a May 14 letter to the GAO, which is attached to the report, the Secret Service said letters were sent to campaign committees requesting repayment by May 31, 2018. The Secret Service also said it instituted a new

policy that will help it make more accurate payments.

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"Their letter does not explain the legal basis for their believing they made errors. So we have requested more information to better understand what they are claiming," said Jeff Weaver, the campaign manager for Sanders' 2016 bid.

Carson's business manager Armstrong Williams said he met with Secret Service officials for a "respectful" discussion. He said Carson currently has "no campaign," but declined to say whether that means the Secret Service will not be repaid.

According to [Federal Election Commission records](#), the Carson campaign had roughly \$460,000 in its account as of the end of March.

Spokespeople for the Trump and Clinton campaigns reached by CNN on Thursday did not immediately have information on the matter.

The report detailed how much the Secret Service reimbursed each campaign for travel expenses:

- Donald Trump: \$7.3 million for 965 flights.
- Hillary Clinton: \$7.1 million for 1,317 flights.
- Bernie Sanders: \$2 million for 159 flights.
- Ben Carson: \$615,567 for 107 flights.

In addition to those four candidates, the Secret Service also protected two vice presidential candidates and six of the candidates' family members during the 2016 campaign.

Rep. Bennie Thompson, the top Democrat on the House committee overseeing the Secret Service, called the overpayments "unacceptable," and urged the Secret Service to recoup the funds.

"Worse yet, they did not fix the error when it was discovered months before the election," Thompson told CNN in a statement. "The money that the agency needlessly and erroneously paid the campaigns is sorely needed to help fund critical Secret Service activities that have faced recent budget cuts -- including investigations into cyber and financial crimes."

The Secret Service's policy "has been to pay the lower of two fares when reimbursing campaign committees for special agents' travel on chartered aircraft flights," the GAO said. "The lowest commercially available first class airfare or the pro rata fare- the cost of the agent's seat on the charter flight calculated by taking the total cost of the charter flight of the charter flight divided by the number of passengers on board."

But agency policy did not require invoices and receipts from charter companies that would allow it to verify the costs were accurate, GAO found. Only Clinton's campaign provided those records.

The Secret Service said it has changed that policy and said it will now review documents to verify the government is being accurately charged.

The GAO also found the Trump campaign billed the Secret Service twice, "for three flight segments taken on March 1, 2016 resulting in a cumulative overpayment of approximately \$21,000."

*CNN's Greg Wallace and Elizabeth Landers contributed to this report.*

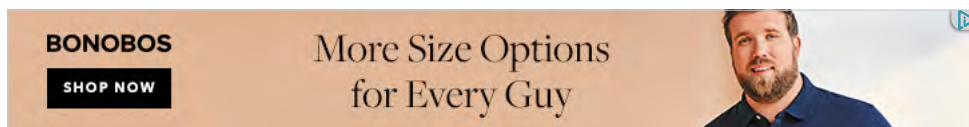
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# **EXHIBIT N**



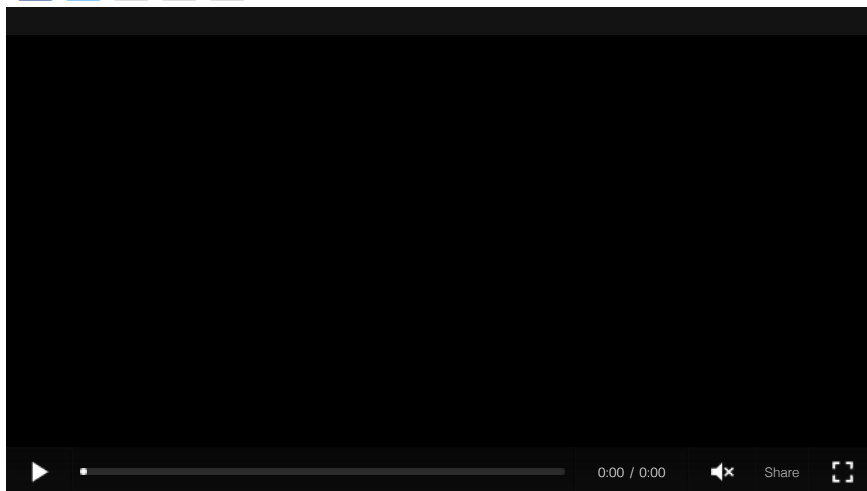
## FULL COVERAGE OF THE RACE FOR THE WHITE HOUSE

# NYPD, Secret Service Upping Security at Trump Tower for President-Elect Donald Trump

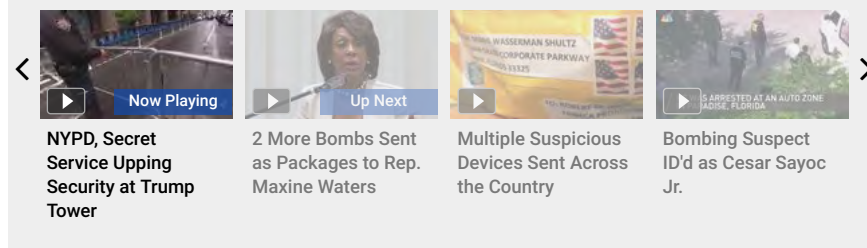
Foot traffic by the building was being regulated by the NYPD on Wednesday, with protesters, supporters and members of the media corralled in pens

By Tom Winter

Published Nov 9, 2016 at 4:11 PM | Updated at 7:21 AM EST on Nov 10, 2016



Protesters have set up outside of Trump Tower in midtown Manhattan and the NYPD and Secret Service are stepping up security measures. Marc Santia reports. (Published Wednesday, Nov. 9, 2016)






It's about to become a lot harder to get around on the east side of midtown Manhattan.

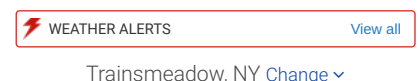
That's because the NYPD and Secret Service are placing extra security measures around Trump Tower, the East 56th Street skyscraper where President-elect Donald Trump lives. The tower will also likely become the Republican's base of operations as he prepares to transition to the White House on Jan. 20.



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## WEATHER FORECAST





An NYPD representative told NBC News that the department is "assisting the Secret Service with security measures for the President-elect." Trump's personal security will be handled by the Secret Service, which has provided him and several members of his family with security details for several months.

The NYPD is likely to use its manpower to help with crowd control at the skyscraper as supporters, protesters and media gather outside the building in the coming months.



Donald Trump Claims Presidency

Donald Trump claimed victory in the United States presidential election early Wednesday in a stunning upset that shocked political observers and polling predictions. (Published Wednesday, Nov. 9, 2016)

As of Wednesday, foot traffic by the building was being regulated by NYPD officers posted at Fifth Avenue and East 56th Street. Protesters, supporters and members of the media have been corralled into pens around the building, and security screens have been set up at the side entrances of the building to obscure the identities of people entering and leaving the office building.

The Federal Aviation Administration has also released temporary flight restrictions over midtown Manhattan along with parts of western Queens and Brooklyn until Jan. 21, the day after Trump's inauguration. Helicopters and planes cannot enter the restricted area unless they are arriving at or departing from heliports in Manhattan or are law enforcement or emergency aircraft.

It won't be the first time that the NYPD and Secret Service have worked together, either. The two agencies coordinated security for Pope Francis' 2015 visit, election night parties for Trump and Democratic presidential nominee Hillary Clinton, and the yearly United Nations General Assembly.

- [Trump Children's Roles Blur Line Between Transition, Company](#)

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# **EXHIBIT O**



# CNN Secret Service considering renting a floor at Trump Tower to protect future first family

By [Pamela Brown](#), [Shimon Prokupecz](#) and Julian Cummings, CNN

Updated 4:03 PM ET, Sat November 26, 2016

## STORY HIGHLIGHTS

A law enforcement official says security plans would differ if the Trumps lived at the White House full time

Trump Tower is owned by Trump Corporation, so the USSS may rent space from Trump's company

**(CNN)** — The US Secret Service is considering renting one floor in Trump Tower to protect President-elect Donald Trump and his family by turning it into a 24-7 command post, a law enforcement official told CNN Friday.

According to Jared Horowitz, who is with Newmark Grubb Knight Frank and responsible for available commercial space at Trump Tower, the floors available to rent with the average floor office space running between 13,500 square feet to 15,500 square feet cost about \$1.5 million a year.

The law enforcement official says the current plans for security at Trump Tower would differ if the future first family were living at the White House full time and Trump's wife Melania and their son Barron were not staying behind in New York City through the Spring.

Once the Trumps live at the White House full time the USSS will have to reassess what kind of a security presence will be needed at Trump Tower, depending on how often Trump and his family

return to New York City.

The official says this kind of planning is typical for the Secret Service after every election but "what is unordinary is that the President Elect lives on 5th Avenue."

What is also unprecedented is that the building is owned by the Trump Corporation so the USSS would be renting the space from Trump's company for protecting him and his family.

[Donald Trump's first 100 days: A breakdown of his plan](#)

The official said a lot of details still need to be ironed out and the security plan is "evolving every day." As of now, this official adds more than 100 USSS personnel would be needed for the 24-7 shifts to protect the future First Family.

New York City Police Department would also be a part of the security detail, mostly being used to secure the streets around the building. A separate law enforcement official said the number of NYPD cops protecting Trump Tower could grow to 300 at a cost of about \$1 million a day. The official saying a separate command might be needed just to focus on security for the future President.

The USSS would be primarily responsible for protecting the residence and the NYPD primarily responsible for outside security.

[Who could be in Trump's Cabinet?](#)

Ron Kessler, an expert on the US Secret Service, says it is "standard for the Secret Service to have these kinds of costs." It's a practice that he says goes back at least to Richard Nixon administration.

And he says that in the end it may actually "save the government money" because without renting space agents working to protect the President-elect could be staying in hotels. By renting at Trump Tower they can live in the building during the Trump presidency.

Kessler says he is not sure who negotiates the real estate contracts but that Government's General Services Administration could be involved.

Kessler says VP Joe Biden has a habit of traveling back and forth between Washington and Wilmington, Delaware, several times a week, which has increased costs of his protection.

The USSS declined to comment on security precautions being taken for Trump and his family. The New York Post [first reported](#) that the USSS was eying two floors at Trump Tower to provide security for the President-elect and his family.

CNN's [Joe Johns](#) contributed to this report.

# **EXHIBIT P**

METRO EXCLUSIVE 2016 ELECTION AFTERMATH

# Trump Tower security may take over 2 floors — and cost millions

By Julia Marsh

November 24, 2016 | 7:04pm | Updated



John Roca

The Secret Service is in negotiations with the Trump Organization to take over two vacant floors in the gilded 68-story Fifth Avenue tower, law enforcement sources told The Post.

The federal agency and the NYPD plan to run a 24/7 command post out of the space that would be housed at least 40 floors below Trump's \$90 million penthouse triplex, where wife Melania and their 10-year-old son Barron **will continue to reside at least through the spring**, sources said.

The first 26 floors of the glass-clad skyscraper are commercial tenants while the remaining levels are luxury apartments.

But several commercial floors are currently vacant, sources said. The Secret Service is eyeing two contiguous floors for over 250 agents and cops, sources said.

The Secret Service must protect the president and his family wherever they go, including visits back to their permanent homes.

For example, the Secret Service paid Vice President Joe Biden \$2,200-a-month, to rent out a cottage next to his Wilmington, Del. home, **according to a 2011 article** in The Washington Times.

And when President Barack Obama spent summer vacations on Martha's Vineyard and his annual Christmas vacation to Hawaii, his security detail rented private homes and hotel rooms and set up land and sea perimeters over the short stay.



The same is expected when Trump visits his Mar-a-Lago estate in Florida as he and his family are doing for the Thanksgiving weekend. Similarly, it cost roughly \$2 million a year for the U.S. Coast Guard to station boats off the coast of George H. W. Bush's Kennebunkport, Maine estate during his presidency.

But in the case of Trump Tower, taxpayers would be paying the president-elect's own corporation to lease the two floors, aside from the cost of agents, staff and equipment and barriers that are normal in such cases.

The lease deal alone could cost more than \$3 million a year, based on prevailing rates in the building.

**The Post reported** earlier this week that the 17th floor at Trump Tower is available. The floor is currently being marketed in three, 3,000- to 5,000-square-foot parcels at up to \$105 per square foot.

At that rate the federal government would be paying \$1.5 million a year for just one floor and double that for two levels of Trump Tower offices.

The ready-to-rent 17th floor includes six large south-facing outdoor terraces, private elevators, polished concrete floors — but no brass.

The 15th floor may also be available. The Trump Campaign operated mainly out of that level plus other areas, paying \$169,000-a-month for rent and utilities, according to the Federal Election Commission.

Reps for the Trump Organization and the Secret Service did not return messages seeking comment.

## SEE ALSO

**Wealthy Trump Tower residents are fed up with protesters**

The government tenant would be a boon for the building that's seen a nearly 40 percent rate slash for sales and rentals of residential units in the past year, according to a recent article in The Hollywood Reporter.

Approximately 15 percent of the residential space is for rent or sale while the rest of the luxury housing market enjoys low vacancy rates, **the entertainment web site said**.

A top Manhattan real estate broker said an exodus is underway at the once sought-after building.

"These are wealthy people. They don't need this, and they can't take it any longer. They no longer want to stay there," the broker **told The Post in early November**.

The marble-lobbied building is home to art dealer Helly Nahmad and Trump's former campaign manager Paul Manafort. Past residents include Michael Jackson, Liberace and Andrew Lloyd Webber.

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# EXHIBIT Q

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# Trump Tower's Newest Tenants Likely To Be The Secret Service

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December 14, 2016 · 5:56 PM ET

Heard on All Things Considered



JIM ZARROLI



A member of the New York Police Department stands in front of Trump Tower to provide security to President-elect Donald Trump on Nov. 10, in New York.

Timothy A. Clary/AFP/Getty Images

Trump Tower, the building that President-elect Donald Trump calls home, bills itself as "one of the world's elite luxury residences, catering to public figures, athletes, celebrities and other affluent sophisticates."

These days, some other people have taken up residence there as well: Secret Service agents.

Trump has said that his family won't move into the White House right away and will remain, for a few months at least, in the world-famous steel-and-glass office and residential building where they occupy three floors.

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AROUND THE NATION

## Transition Meetings Create Traffic Nightmare Near Trump Tower

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Even after his family makes the move, Trump seems likely to be a regular visitor in Manhattan, where he has lived for decades.

For the Secret Service, that means setting up a vast intelligence and surveillance operation inside the building.

"Essentially what you have to do is make Trump Tower as secure as the White House," says former Secret Service agent Jonathan Wackrow.

To do that, the Secret Service will almost certainly have to lease space inside the building, which is partly owned by Trump himself, giving the president-elect an opportunity to make money off the very agency assigned to protect him. It will probably have to do so at Trump's Florida resort, Mar-a-Lago, as well.

Wackrow, who is now executive director of the risk assessment company RANE, says this isn't at all unusual. The agency leased space in Crawford, Texas, where former President George W. Bush owned a ranch, and in Chappaqua, N.Y., the home of Bill and Hillary Clinton.

"We do it at a lot of facilities. Anytime the federal government is taking private space, it's logical for there to be a rental fee around that," Wackrow says.

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## BUSINESS

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The difference is that Trump Tower is located in a ritzy shopping district in Midtown Manhattan, one of the most expensive places on earth, so rents there are likely to be a good bit higher than in Crawford.

Just how much higher is hard to say.

Secret Service officials are still trying to assess what they need to protect the Trumps and what the agency's "footprint" will be inside the building, so they didn't want to comment for this story.

The Trump campaign was paying \$35,458 a month to lease space in the building as recently as last March, but the price increased nearly five-fold by July. Critics said the increase — to a monthly rent of \$169,758 — was a way of fleecing donors at a time when they were increasingly contributing to Trump's campaign.



## THE TWO-WAY

### Trump Says He Won't Sell His Businesses To Address Conflicts Of Interest

Steve Siegel, chairman of global brokerage at the giant commercial real estate firm CBRE, says office space in Trump Tower typically rents for about \$70 a square foot, which amounts to \$700,000 a year for 10,000 square feet of space. That's less than in

premium properties such as the GM Building, which can go for \$95 to \$190 per square foot.

It's not that there's anything wrong with Trump Tower, which is an attractive building with high ceilings, usable space and plenty of light, Siegel says.

But much of Trump Tower consists of condominiums. Only the first 26 floors of the 68-story building are set aside for offices and retail stores, and some of that has been occupied by Trump's own businesses.

Not enough space is left over for really big companies, and that lowers the price that the building can fetch, Siegel says.



#### PARALLELS

The Big Overlap Between Trump's Global Holdings And U.S. Foreign Policy

Major tenants also prefer to put their own names on buildings, and Trump Tower is already named for Trump, Siegel notes.

Siegel adds that the presence of the Secret Service could actually end up hurting the building's value. Already, police have had to seal off the streets around the building, requiring anyone who lives or works in the building to pass through security checks.

"I just passed the building now and they were three deep and barricades and police everywhere," he said.

While some people may feel safer as a result, a lot of potential tenants won't want to put up with it.

"I don't think I could put a tenant in there that would be comfortable with the security measures that are required by the president-elect living there and having his offices there," Siegel says.

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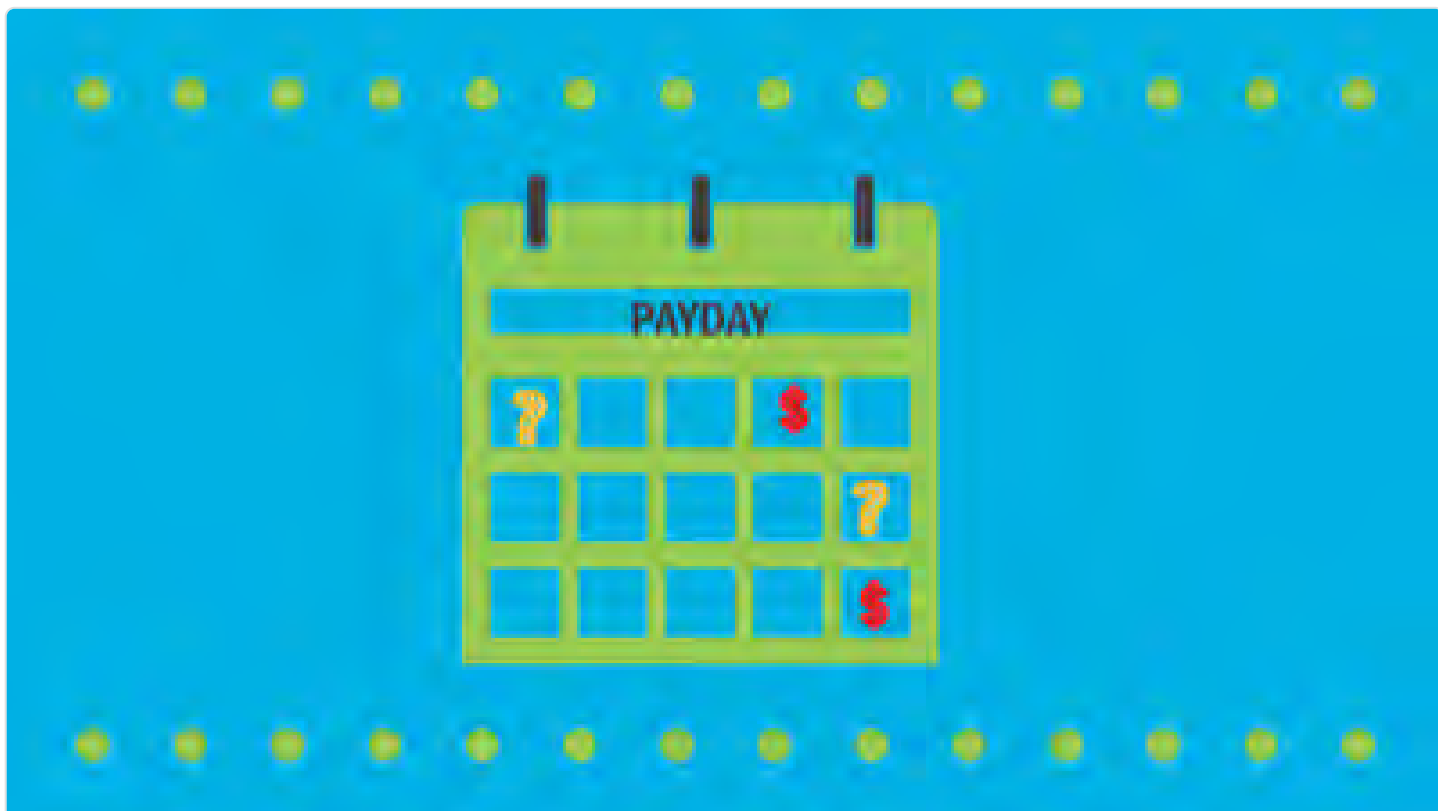
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# **EXHIBIT R**

POLITICO



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A Secret Service agent stands guard outside of Trump Tower in New York City. | Getty

## Secret Service advertised as hot 'new amenity' at Trump Tower

By TARA PALMERI | 12/06/2016 12:08 PM EST | Updated 01/25/2017 06:05 PM EST

The U.S. Secret Service is the hot, new “amenity” at Trump Tower, where desperate brokers are trying to lure well-heeled clients into the building on Fifth Avenue that has served as President-elect Donald Trump’s home as well as his campaign and transition headquarters.

Less than a week after Trump was elected, prominent New York real estate agency Douglas Elliman blasted out an email with the subject: “Fifth Avenue Buyers Interested in Secret Service Protection?” to advertise a \$2.1 million, 1,052-square-foot condo in the

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brokers Ariel Sassoon and Devin Leahy.

“The Best Value in the Most Secure Building in Manhattan,” it stated.

While there’s been a great deal of attention to how Trump plans to divest of his conflicts of interest, less attention has been applied to how business associates — including owners and marketers of his properties — may seek to profit from his new job in the White House.

As hard as Trump works to distance himself from his businesses, there may be no way of getting around other business associates using his brand for their own opportunity.

Trump was the developer and sponsor of Trump Tower when it was built 33 years ago, but most of the 263 units are individually owned. Trump Tower does not retain a portion of the sales but since the building is managed by Trump Corporation, it retains a processing fee for unit sales which is about \$2,000 per application plus \$250 per additional adult dweller, as part of its service as manager of the building.

ADVERTISING



The condominium collects the common charge, but Trump manages the garage and vendors like the bar and restaurant in the building.

A Trump spokesperson did not respond to a request for comment. A spokesperson for Douglas Elliman, meanwhile, distanced the company from the listing. “This was completely unauthorized and done without the knowledge or approval of Douglas

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By **BURGESS EVERETT** and **ELANA SCHOR**

Debra Stotts, a real estate agent for Town Residential brokerage, who has worked in marketing for the Trump Organization for eight years until 2011 and still represents many listings in its properties, said that the appeal of living in Trump Tower is “50-50.”

“Honestly, it’s 50-50 just like the polls. There are those who flee, there are those who are going to the building and want to be associated with Trump as a winner,” Stotts said.

When asked about why the majority of the sale and rental listings have gone down in value, Stotts cited outside factors. “It’s the market,” she said. “Before Donald had won, it’s been down. It’s because of the abundance of development that’s occurred in New York City. There’s just so many buildings in the market.”

Meanwhile, last week the jeweler Tiffany and Co. located near Trump Tower at 727 Fifth Avenue warned of lower profit because of its flagship store’s location next to the Tower, which is being blocked by security causing traffic and congestion in the area.

Even after Trump moves to Washington, his wife, Melania, and son Barron plan to stay in Manhattan so that Barron can finish school. Melania Trump also is afforded security detail.

New York Mayor Bill de Blasio said Monday that securing Trump Tower costs the city \$500,000 per day. He said that he is requesting \$35 million from the federal government to guard the building from the election on Nov. 8 to the inauguration on Jan. 20.

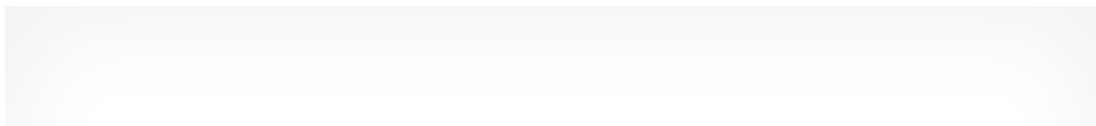
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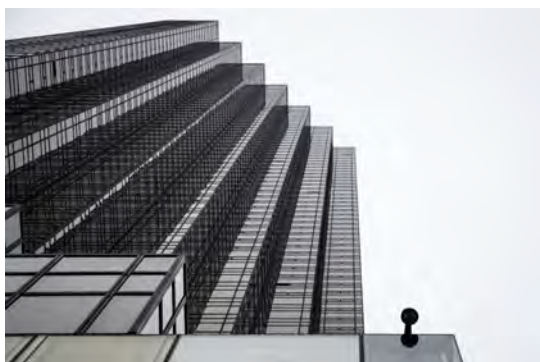
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## POLITICS

# U.S. Military's Space in Trump Tower Costs \$130,000 a Month

Property is being leased by a military office that supports the White House; government agency says its owner isn't affiliated with the Trump Organization



A view of Trump Tower in New York City. PHOTO: DREW ANGERER/GETTY IMAGES

By Paul Sonne

Updated July 19, 2017 9:55 a.m. ET

WASHINGTON—The U.S. government is paying more than \$130,000 a month to lease space in Trump Tower for the military office that supports the White House, even though Donald Trump hasn't spent a night at the New York skyscraper since becoming president.

The government signed a \$2.39 million lease to rent a 3,475 sq. ft. space in the building for the military from April 11, 2017, to Sept. 30, 2018, nearly 18 months in total, according to lease documents that The Wall Street Journal obtained through a freedom of information request.

The government agreed to pay \$180,000 for the last 20 days of April 2017 and \$130,000 a month thereafter, according to the contract released by the General Services Administration, the agency that negotiates office space agreements for the government.

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The GSA redacted large portions of the lease, including the name of the person who owns the Trump Tower space the government is renting. A Pentagon official wrote in a letter seen by the Journal that the space is owned privately by someone unaffiliated with the Trump Organization and that the department sees no way in which Mr. Trump can benefit from the rent money. Records indicate the owner is

Joel R. Anderson, Mr. Trump's neighbor.

The military's lease in Trump Tower puts the space far above market rate for similarly sized apartments in the luxury high rise market and makes it one of the most expensive residential rentals in Manhattan.

The U.S. military uses the White House Military Office to provide medical, food, transportation and communications services that by regulation need to be close to the president at all times.

The military also ensures that the so-called nuclear football—the briefcase that allows the president to authorize a nuclear attack—accompanies the commander in chief during his travels. Its operations are separate from those of the Secret Service.

The rental figure, which hasn't been disclosed previously, is only for the Defense Department. Other agencies, such as the U.S. Secret Service, also face increased costs stemming from Mr. Trump's frequent visits to his other properties and his large family.

The Secret Service, for example, requested an additional \$25.7 million in the 2018 budget to cover expenses associated with securing Trump Tower and the president's "protective footprint" in New York City.

The most expensive Trump Tower listing recently was a 3,725 sq. ft., three-bedroom apartment on the 62nd floor. It was listed in the spring of 2016 for \$50,000 a month unfurnished and \$60,000 a month furnished, according to Streeteasy.com.

The Pentagon said in February that it was looking to lease space in Trump Tower to carry out its support functions for Mr. Trump, who has both a home and an office in the New York skyscraper that bears his name.

Mr. Trump said in an interview with Fox News in April that he feels guilty when he returns to Trump Tower because it is very expensive for the country and the street closures inconvenience New Yorkers. First lady Melania Trump and Barron Trump, the couple's son, moved to the White House from Trump Tower on June 11.

The White House didn't respond to a request for comment. The Pentagon referred a request for comment on the matter to the White House and the GSA.

James A. MacStravic, the acting undersecretary of Defense for Acquisition, Technology and Logistics, said in a March 3 letter to Rep. Jackie Speier, a California Democrat, that the Pentagon wasn't aware of any means by which Mr. Trump would benefit personally from the lease.

"To alleviate your principal concern (i.e. that the president of the United States might financially benefit from the lease effort), please know that this residential space is privately owned and that lease negotiations have been with the owner's representatives only," Mr. MacStravic wrote before the lease was signed. "We are not aware of any means through which the president would personally benefit from a government lease of this space."

Mr. MacStravic said in the letter that the White House Military Office had requested approval to lease space in Trump Tower for personnel assigned to support the president while at his private residence, which he said in the letter was typical of similar support provided to past presidents and vice presidents.

The requirement for proximity to the president's residence "drives the location and price for this acquisition," he said, noting that his office's analysis indicated that renting in the building was cheaper than purchasing.

The GSA signed an 18-month "firm lease" with the owner of the Trump Tower property, according to the document. The contract, which went into effect on April 13, says the government can cancel the lease at any time after the "firm term" expires by providing no less than 180 days advance notice to the owner, the document says.

Though the name of the property owner is redacted on the contract, the GSA lease inventory lists the owner of the space in Trump Tower as Joel R. Anderson, a businessman originally from Alabama and a neighbor of Mr. Trump's in the building. Mr. Anderson is the chairman of Anderson Media Corp., a large DVD, CD and book distributor. His biography on the company's website describes him as a member of Trump Tower's board of directors.

The most recent GSA lease inventory lists the annual rent for the space as \$1.56 million. It says the space is 3,476 square feet, instead of the 3,475 square feet listed on the lease itself.

The company didn't immediately respond to a request for comment.

Pamela A. Dixon, press secretary for the GSA, confirmed that the space in Trump Tower was privately owned by someone not affiliated with the Trump Organization. She said the GSA acquired the space for use of a single agency.

“GSA works to ensure all contracts we execute respond to the needs of the agencies we support and provide the best value for the American taxpayer,” Ms. Dixon said.

The Secret Service, a separate agency under the Department of Homeland Security that protects the president and his family, said in a statement that it “continues to work with GSA to secure suitable work space to support our protective operations at Trump Tower.”

“For operational security reasons, the Secret Service cannot discuss specifically nor in general terms the means, methods, resources, costs or numbers we utilize to carry out our protective responsibilities,” Shawn L. Holtzclaw, staff assistant in the Secret Service’s Office of Government & Public Affairs, said in a statement.

Mr. Trump developed Trump Tower with the Equitable Life Assurance Company in the late 1970s as a mixed-use building, with retail at the base, office space above and then residential condominiums beginning on the 30th floor. The Trump Organization continues to own the commercial space, but the residential space is owned by individual unit owners. Mr. Trump also owns the 6, 096 penthouse on the 66th floor.

—*Josh Barbanel contributed to this article.*

Write to Paul Sonne at paul.sonne@wsj.com

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# **EXHIBIT T**

**U.S. Secret Service****Operations and Support**

operational mission needs.

**Performance**

No performance impact.

**Program Change 9: Protective Primary Residence**

The FY 2018 Budget requests a program increase of \$25.7 million to cover the costs associated with the additional protective footprint in New York City. This program increase applies to the Mission Support PPA and the Protection of Persons and Facilities Level PPA Level II.

**Description**

The Secret Service is charged with the protection of the First Family and their residences. Initial installation of equipment and infrastructure to secure Trump Tower, and the members of the First Family's private residences, was accomplished in FY 2017; however, there are costs for continued operations during the incumbent's presidency and throughout his life and the life of the First Lady.

The Secret Service requests \$25.7 million in FY 2018 for security-related expenses associated with Presidential protective operations; \$12.5 million for travel and transportation of persons, \$6.3 million for rent and utilities, and \$6.9 million for recurring technical security and infrastructure..

**Justification**

The Secret Service requests \$25.7 million in FY 2018 for security-related expenses associated with Presidential protective operations. \$12.5 million is requested for personnel-related costs in New York including temporary duty protective assignments for personnel assigned to the protective details for the children and grandchildren of President Trump, as well as other functions supporting these details including protective advances and protective intelligence activities. In addition, this funding provides for Secret Service personnel to engage in residence security operations at the President's private residence in Trump Tower. \$6.3 million is requested for rent and utilities to accommodate the increased protective posture in New York and \$6.9 million for recurring technical security as well as technology and infrastructure installations contract support.

Additional services provided Secret Service law enforcement partners include Explosive Ordnance Disposal units and K-9 units.

The Service provides continuous temporary protection at other sites with the New York City Metropolitan Statistical Area for the First Family.

**Performance**

The Secret Service is required to protect the First Family and President's private residence.

# **EXHIBIT U**



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# Protecting Donald Trump costs New York City more than \$1 million a day

by Chris Isidore, Shimon Prokupecz and David Shortell

@CNNMoney

🕒 November 21, 2016: 3:32 PM ET

Recommend 1



Protecting Trump in NYC will cost millions

Protecting President-elect Donald Trump and his family is costing New York City more than \$1 million a day, according to three city officials.

And those costs won't necessarily drop significantly once he moves to the White House.

That's because

[Melania Trump and their 10-year old son Barron](#)

expect to stay at their home at Trump Tower in midtown Manhattan, at least until the end of the school year. And Donald Trump has indicated he plans to return home regularly, especially while they're still here.

Adding to the expense is the cost of police assigned to Trump's adult children and his grandchildren, who are also receiving Secret Service protection, John Miller, NYPD's deputy commissioner of intelligence & counterterrorism, told WCBS Monday. All of them live in the city, and all are entitled to receive Secret Service protection.

"The number one imperative here is safety and security. We owe that to the president elect, his family and his team," said New York Mayor Bill de Blasio at a press conference on Friday. But he added the city will need help with those costs, particularly police overtime.

"This is a very substantial undertaking. It will take substantial resources," he said. "We will begin the conversation with the federal government shortly on reimbursement for the NYPD for some of the costs that we are incurring."

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While primary responsibility for the protection of the president, or president-elect, rests with the Secret Service, local law enforcement is charged with assisting them, particularly in controlling movements of the general public.

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Every president is required to have local law enforcement protection when they return home during their terms. But protecting Trump in New York City is particularly costly, given that he lives in the most densely-populated neighborhood of the nation's biggest city.

"We have never had a situation where a POTUS (president of the United States) would be here on such a regular basis," said de Blasio. "The details of his future plans are unknown, but we certainly know over these next 65 days [until the inauguration] he will be here regularly. The NYPD is up to the challenge and the city of New York is up to the challenge, I have no doubt about that."

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The city has sought and received reimbursement for protecting world leaders in the past, such as when heads of state visit the United Nations, de Blasio said. City records show it received \$26 million in reimbursements for such expenses in the 12 months ending June 30, or about \$500,000 a week. But the fact that the city will need to protect Trump on an ongoing basis is unprecedented, de Blasio said.

"This makes [previous protection efforts] look quite small obviously," he said. "We'll have to establish a new set of ground rules."

The police have set up barricades around Trump Tower at 56th Street and 5th Avenue, smack in the middle of the city. While a block of 56th street has basically been closed to traffic, 5th Avenue remains open, although the traffic flow on that major thoroughfare has been affected.

And as Trump moves through the city, police need to close streets accordingly. For example, the Lincoln Tunnel was closed to traffic on Friday afternoon during rush hour when Trump traveled to New Jersey.

CNNMoney (New York)  
First published November 21, 2016: 3:32 PM ET

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# **EXHIBIT V**

## Exclusive: Secret Service depletes funds to pay agents because of Trump's frequent travel, large family

Kevin Johnson, USA TODAY Published 5:00 a.m. ET Aug. 21, 2017 | Updated 9:11 p.m. ET Aug. 22, 2017



(Photo: Robert Hanashiro, USA TODAY)

WASHINGTON — The Secret Service can no longer pay hundreds of agents it needs to carry out an expanded protective mission — in large part due to the sheer size of President Trump's family and efforts necessary to secure their multiple residences up and down the East Coast.

Secret Service Director Randolph "Tex" Alles, in an interview with USA TODAY, said more than 1,000 agents have already hit the federally mandated caps for salary and overtime allowances that were meant to last the entire year.

The agency has faced a crushing workload since the height of the contentious election season, and it has not relented in the first seven months of the administration. Agents must protect Trump — who has traveled almost every weekend to his properties ([/story/news/politics/onpolitics/2017/07/19/donald-trump-visits-his-properties-while-office/490212001/](https://www.usatoday.com/story/news/politics/onpolitics/2017/07/19/donald-trump-visits-his-properties-while-office/490212001/)) in Florida, New Jersey and Virginia — and his adult children whose business trips and vacations have taken them across the country and overseas.

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"The president has a large family, and our responsibility is required in law," Alles said. "I can't change that. I have no flexibility."

Alles said the service is grappling with an unprecedented number of White House protectees. Under Trump, 42 people have protection, a number that includes 18 members of his family. That's up from 31 during the Obama administration.

Overwork and constant travel have also been driving a recent exodus from the Secret Service ranks, yet without congressional intervention to provide additional funding, Alles will not even be able to pay agents for the work they have already done.

The compensation crunch is so serious that the director has begun discussions with key lawmakers to raise the combined salary and overtime cap for agents, from \$160,000 per year to \$187,000 for at least the duration of Trump's first term.

But even if such a proposal was approved, about 130 veteran agents would not be fully compensated for hundreds of hours already amassed, according to the agency.

"I don't see this changing in the near term," Alles said.

Both Republican and Democratic lawmakers expressed deep concern for the continuing stress on the agency, first thrust into turmoil five years ago with disclosures about sexual misconduct by agents in Colombia and [subsequent White House security breaches \(/story/news/politics/2017/04/19/secret-service-tightens-white-house-security-south-side/100607026/\)](https://www.usatoday.com/story/news/politics/2017/04/19/secret-service-tightens-white-house-security-south-side/100607026/).

A special investigative panel formed after a particularly egregious 2014 White House breach also found that that agents and uniform officers worked "an unsustainable number of hours," which also contributed to troubling attrition rates.

While about 800 agents and uniformed officers were hired during the past year as part of an ongoing recruiting blitz to bolster the ranks, attrition limited the agency's net staffing gain to 300, according to agency records. And last year, Congress had to approve a one-time fix to ensure that 1,400 agents would be compensated for thousands of hours of overtime earned above compensation limits. Last year's compensation shortfall [was first disclosed by USA TODAY \(/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456/\)](https://www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456/).

"It is clear that the Secret Service's demands will continue to be higher than ever throughout the Trump administration," said Jennifer Werner, a spokesperson for Maryland Rep. Elijah Cummings.

**Related:** [Hundreds of Secret Service agents maxed out on overtime \(/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456/\)](https://www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456/)

[Secret Service tightens White House security on south side \(https://www.usatoday.com/story/news/politics/2017/04/19/secret-service-tightens-white-house-security-south-side/100607026/\)](https://www.usatoday.com/story/news/politics/2017/04/19/secret-service-tightens-white-house-security-south-side/100607026/)

Cummings, the ranking Democrat on the House Oversight and Government Reform Committee who was the first lawmaker to sound the alarm after last year's disclosure that hundreds of agents had maxed out on pay, recently spoke with Alles and pledged support for a more permanent fix, Werner said.

"We cannot expect the Secret Service to be able to recruit and keep the best of the best if they are not being paid for these increases (in overtime hours)."

South Carolina Rep. Trey Gowdy, the Republican chairman of the House oversight panel, is "working with other committees of jurisdiction to explore ways in which we can best support" the Secret Service, his spokesperson Amanda Gonzalez said.

Talks also are underway in the Senate, where the Secret Service has briefed members of the Homeland Security Committee, which directly oversees the the agency's operations.

"Ensuring the men and women who put their lives on the line protecting the president, his family and others every day are getting paid fairly for their work is a priority," said Missouri Sen. Claire McCaskill, the panel's top Democrat. "I'm committed to working with my colleagues on both sides to get this done."

Without some legislative relief, though, at least 1,100 agents – for now – would not be eligible for overtime even as one of the agency's largest protective assignments looms next month. Nearly 150 foreign heads of state are expected to converge on New York City for the United Nations General Assembly.

Because of the sheer number of high-level dignitaries, the United Nations gathering is traditionally designated by the U.S., as a "National Special Security Event" and requires a massive deployment of security resources managed by the Secret Service.

That will be even trickier this year. "Normally, we are not this tapped out," said Alles, whom Trump appointed to his post in April.

The agents who have reached their compensation limits this year represent about a third of the Secret Service workforce, which was pressed last year to secure both national political conventions in the midst of a rollicking campaign cycle. The campaign featured regular clashes involving protesters at Trump rallies across the country, prompting the Secret Service at one point to erect bike racks as buffers around stages to thwart potential rushes from people in the crowd.

Officials had hoped that the agency's workload would normalize after the inauguration, but the president's frequent weekend trips, his family's business travel and the higher number of protectees has made that impossible.

Since his inauguration, Trump has taken seven trips to his estate in Mar-a-Lago, Fla., traveled to his Bedminster, N.J., golf club five times and returned to Trump Tower in Manhattan once.

### Trump family travel drains Secret Service

Trump's frequent visits to his "winter White House" and "summer White House" are especially challenging for the agency, which must maintain a regular security infrastructure at each – while still allowing access to paying members and guests.

Always costly in manpower and equipment, the president's jaunts to Mar-a-Lago are estimated to cost at least \$3 million each, based on a General Accountability Office estimate for similar travel by former President Obama. The Secret Service has spent some \$60,000 on golf cart rentals alone this year to protect Trump at both Mar-a-Lago and Bedminster ([/story/news/politics/onpolitics/2017/08/08/trumps-bedminster-trip-costs-secret-service-13-500-golf-cart-rentals/549401001/](https://www.cbsnews.com/news/secret-service-costs-for-trump-family-protection-continue-to-mount/)).

The president, First Lady Melania Trump and the couple's youngest son Barron – who maintained a separate detail in Trump Tower until June – aren't the only ones on the move with full-time security details in tow.

Trump's other sons, Trump Organization executives Donald Jr. and Eric, based in New York, also are covered by security details, including when they travel frequently to promote Trump-branded properties in other countries.

A few examples: Earlier this year, Eric Trump's business travel to Uruguay cost the Secret Service nearly \$100,000 just for hotel rooms. Other trips included the United Kingdom and the Dominican Republic (<https://www.cbsnews.com/news/secret-service-costs-for-trump-family-protection-continue-to-mount/>). In February, both sons and their security details traveled to Vancouver, British Columbia, for the opening of new Trump hotel there, and to Dubai to officially open (<http://www.washingtontimes.com/news/2017/feb/18/trumps-sons-eric-and-donald-jr-in-dubai-to-open-go/>), a Trump International Golf Club.

In March, security details accompanied part of the family, including Ivanka Trump and husband Jared Kushner on a skiing vacation in Aspen, Colo. Even Tiffany Trump, the president's younger daughter, took vacations with her boyfriend to international locales such as Germany and Hungary, which also require Secret Service protection (<https://www.cbsnews.com/news/tiffany-trumps-trip-to-berlin-costs-taxpayers-at-least-22000/>).





Secret Service agents rush Republican presidential candidate Donald Trump off the stage at a campaign rally in Reno, Nev., on Nov. 5, 2016. (Photo: John Locher, AP)

While Alles has characterized the security challenges posed by the Trump administration as a new "reality" of the agency's mission, the former Marine Corps major general said he has discussed the agency's staffing limitations with the White House so that security operations are not compromised by a unusually busy travel schedule.

"They understand," Alles said. "They accommodate to the degree they can and to the degree that it can be controlled. They have been supportive the whole time."

Over time, Alles expects the Secret Service's continued hiring campaign will gradually relieve the pressure. From its current force of 6,800 agents and uniform officers, the goal is to reach 7,600 by 2019 and 9,500 by 2025.

"We're making progress," he said.

For now, Alles is focused simply on ensuring that his current agents will be paid for the work they have already done.

"We have them working all night long; we're sending them on the road all of the time," Alles said. "There are no quick fixes, but over the long term, I've got to give them a better balance (of work and private life) here."

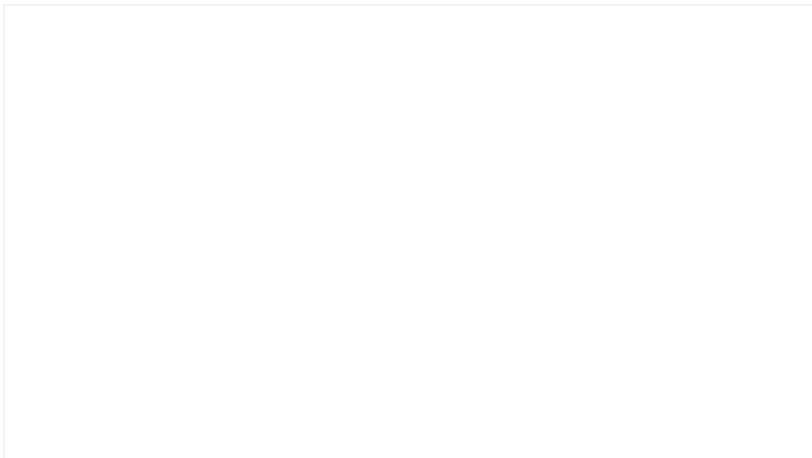
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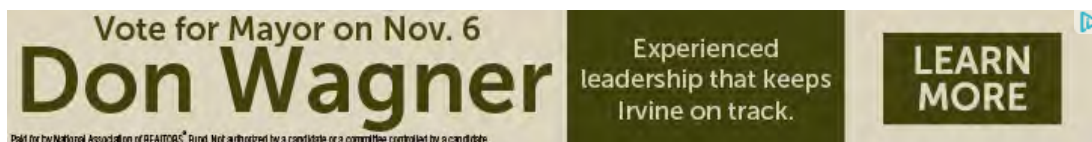
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[Secret Service spends \\$13,500 on golf cart rentals for President Trump's Bedminster trip](http://preview.usatoday.com/story/news/politics/onpolitics/2017/08/08/trumps-bedminster-trip-costs-secret-service-13-500-golf-cart-rentals/549401001/)

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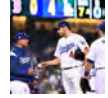
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POLITICS

# Mar-a-Lago, Dubai, Aspen: The bottom line on protecting Trumps in the first 100 days? More than \$30 million



By BARBARA DEMICK  
MAY 08, 2017 | 3:00 AM



How much does it cost to protect the Trump presidency?

The Secret Service does not release information about the costs of protecting the first family. But some hints can be gleaned from publicly released budget data, documents obtained by watchdog groups and government databases.

This tally by The Times does not include everyday security for the White House or for the president's official trips.



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New York police officers guard the front of Trump Tower. ( Richard Drew / Associated Press )

## Trump Tower: \$21 million

New York City said in a letter to Congress in February that guarding Trump Tower costs its police department \$127,000 to \$146,000 a day and its fire department \$12,328 a day. The Secret Service asked Congress for \$26.8 million for the year to protect the building. All of that comes to about \$212,000 a day, or for the first 100 days, \$21 million.



President Trump and Chinese President Xi Jinping at the Mar-a-Lago estate in West Palm Beach, Fla. ( Jim M. Watson / AFP-Getty Images )

## Weekends at Mar-a-Lago: \$8 million

The president spent seven weekends at the Palm Beach, Fla., resort in his first 100 days. It is impossible to separate protection and travel costs when it comes to the president, because security protocol calls for him to fly in military aircraft. Flying Air Force One round trip to Palm Beach costs \$669,186, according to information recently obtained by [Judicial Watch](#) through a Freedom of Information Act request.

Secret Service costs add \$300,000 or so. Palm Beach County says it has spent at least \$2 million on providing security for these weekends. The flying costs, Secret Service and local security add up to about \$8 million. It's hard to distinguish what's for business and what's for leisure on these trips; Trump made speeches in Florida at the end of some visits.

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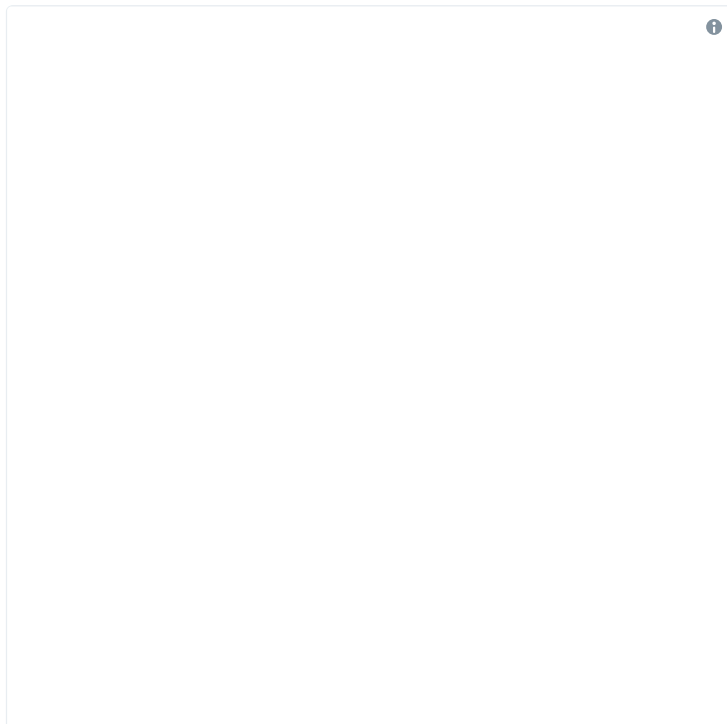


First Lady Melania Trump. (Carolyn Cole / Los Angeles Times)

## Melania Trump's flights: \$1.13 million

Because the first lady lives in New York, she sometimes flies separately to Palm Beach. She has made two round-trips and two one-way trips, according to the Palm Beach Post. She has also made at least six trips to Washington since the inauguration. The planes assigned to her vary in price from the C-40 at \$18,218 an hour to the C-32 at \$38,922 an hour. For short hops, she often takes a Gulfstream C-37 at \$27,127 an hour.

The Air Force declined to provide flight logs. But if she used the larger aircraft for the three-hour flights to Palm Beach and the smallest plane for the one-hour trips between New York and Washington, the total comes to \$1.13 million.



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## Business trips by Donald Trump Jr. and Eric Trump: \$1 million

One or the other brother has visited Dubai, Scotland, Ireland, the Dominican Republic and Canada since their father took office. The Secret Service won't say how many agents go on any given trip, but experts said that guarding the brothers would have required at least 20 agents, some of whom may arrive two weeks early. Airfare varies by destination, as does the government's daily reimbursement rate for hotel and meals (\$553 in Dubai, for example). The Times estimated an average of \$200,000 for each trip, or a total of \$1 million.

## Ski trip to Aspen, Colo.: \$165,000

Each of Trump's five children, their three spouses and his eight grandchildren has Secret Service protection. In March, Donald Trump Jr., his wife and five children, Ivanka Trump and her three children, Eric Trump and his wife were accompanied to Aspen by as many as 100 Secret Service agents. A trip to the ski town by former First Lady Michelle Obama and her two daughters in February cost the Secret Service \$165,000, according to records released to the conservative think tank Judicial Watch. The Trumps cost at least that.



Barbara Demick



Barbara Demick is New York correspondent of the Los Angeles Times, formerly head of the bureaus in Beijing and Seoul. She is the author of *Nothing to Envy: Ordinary Lives in North Korea* and *Logavina Street: Life and Death in a Sarajevo Neighborhood*. Demick has won Britain's Samuel Johnson Award for best nonfiction, the George Polk Award and the Robert F. Kennedy Award, as well as the Osborn Elliot Prize for Journalism from the Asia Society and the Overseas Press Club, the American Academy of Diplomacy's Arthur Ross Award and Stanford University's Shorenstein Award for best Asia reporting. She has been a finalist for the Pulitzer Prize and the National Book Award. She was a fellow at the Council on Foreign Relations.

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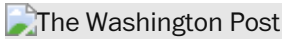
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# **EXHIBIT X**



## Politics

# Secret Service says it will run out of money to protect Trump and his family Sept. 30

By [Lisa Rein](#)

August 21, 2017

The Secret Service said Monday that it has enough money to cover the cost of protecting President Trump and his family through the end of September, but after that the agency will hit a federally mandated cap on salaries and overtime unless Congress intervenes.

If lawmakers don't lift the cap, about a third of the agency's agents would be working overtime without being paid, agency officials said.

"The Secret Service estimates that roughly 1,100 employees will work overtime hours in excess of statutory pay caps during calendar year 2017," Director Randolph "Tex" Alles said in a statement. "To remedy this ongoing and serious problem, the agency has worked closely with the Department of Homeland Security, the Administration, and the Congress over the past several months to find a legislative solution."

The spending limits are supposed to last through December, but the cost of protecting the president and members of the extended first family, who have traveled extensively for business and vacations, has strained the Secret Service, local governments and at least one other federal agency, the Coast Guard.

Presidential travel for Trump and the first lady — who fly to their oceanfront Mar-a-Lago Club in Palm Beach, Fla., and to their golf club in Bedminster, N.J., on many weekends — has added costs for taxpayers and complications for the government. The Secret Service also must provide protection for Trump's four adult children.

Alles cited overall increases to his agency's staff levels, which grew by 800 this year, as a factor driving the extra costs, calling the issue "not one that can be attributed to the current Administration's protection requirements alone."

He noted that the Secret Service in recent years has frequently received permission from Congress to exceed the overtime and salary cap. This occurred as recently as 2016 during President Barack Obama's final year in office.

Alles called the agency's current predicament, first reported by USA Today, "an ongoing issue for nearly a decade due to an overall increase in operational tempo."

Without question, however, the agency's workload for security personnel has grown under Trump. The Secret Service now protects 42 people around the clock, 11 more than it did under Obama. The Trump protection number includes 18 members of the president's family.

The cap has been exceeded by at least some amount in recent years, but fewer agents were affected, usually 300, compared with 1,300 in 2016, when agents protected Obama, Hillary Clinton and Trump during the campaign, according to the office of Rep. Elijah E. Cummings (D-Md.), the top Democrat on the House Committee on Oversight and Government Reform.

Since he took office, the president's inclination to conduct official business with crowds around him — such as a working dinner he held in February with Japanese Prime Minister Shinzo Abe at Mar-a-Lago with diners nearby — has required protection. The far-flung travel of his four adult children and son-in-law also have pushed up security costs.

Trump's sons Eric and Donald Jr. traveled this year to the United Arab Emirates for business with their Secret Service details in tow, attending the grand opening of a Trump-brand golf resort in the "Beverly Hills of Dubai" 8,000 miles from the United States, for example.

Meanwhile, first lady Melania Trump stayed behind in New York with the president's youngest son, Barron, for the first five months of his presidency, requiring extra security at Trump Tower.

Presidential families have for decades been guaranteed round-the-clock protection, with no limit on expenses. Every presidency has brought new security challenges, depending on the president's lifestyle. President George W. Bush traveled to his remote ranch in Texas. Obama went regularly to Martha's Vineyard and his native state of Hawaii. Judicial Watch estimated that Obama-related travel expenses totaled nearly \$97 million over eight years.

The Secret Service, beset by years of budget shortages, low morale and leadership shake-ups, requested \$60 million in additional funding for the next year to protect the Trump entourage.

Nearly half the additional money, \$26.8 million, would pay to protect President Trump's family and private home in New York's Trump Tower, documents obtained by The Washington Post show, while \$33 million would be spent on travel costs incurred by "the president, vice president and other visiting heads of state."

The Coast Guard has run round-the-clock shoreline patrols alongside Mar-a-Lago when the president is in town.

Republican and Democrats said Monday they are concerned about deepening demands on the agency and pledged a fix that could be permanent.

"Mr. Cummings and I have spoken twice this morning about our mutual desire to see the Secret Service funded and the agents treated fairly while acknowledging the difficult and important job they have," Oversight Committee Chairman Trey Gowdy (R-S.C.) said in a statement.


Cummings said in a statement that he plans to introduce legislation that would allow the agency to exceed the mandated caps on a regular basis.

“The hardworking men and women of the Secret Service put their lives on the line every day, and it is a travesty that they are not being paid for the hours they work,” he said. “Congress cannot stand on the sidelines and complain — we need to act to ensure that Secret Service agents get every penny they deserve, period.”

 **2511 Comments**

#### Lisa Rein



Lisa Rein covers federal agencies and the management of government in the Trump administration. At The Washington Post, she has written about the federal workforce; state politics and government in Annapolis, and in Richmond; local government in Fairfax County, Va. and the redevelopment of Washington and its neighborhoods. [Follow](#) 



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# **EXHIBIT Y**

## The New York Times

# ***Congress Allocates \$120 Million for Trump Family's Security Costs***

By **Nicholas Fandos**

May 1, 2017

WASHINGTON — Congress would allocate more than \$120 million in additional money to help cover the escalating costs of protecting the Trump family and Trump Tower under a bipartisan spending agreement that appears poised to pass this week.

About half of the money, nearly \$60 million, is earmarked for the Secret Service, with most of it going toward protecting the president while he is traveling and security for Trump Tower in New York City, according to legislation being circulated on Monday.

Another roughly \$60 million would be set aside in a rare provision to reimburse localities, like New York City and Palm Beach County in Florida, that have incurred “extraordinary law enforcement personnel costs” associated with protecting Mr. Trump’s residences since Election Day.

The additional funding, which comes after weeks of mostly behind-the-scenes lobbying, reflects the tremendous costs associated with protecting the lifestyle of Mr. Trump and his family. And it is likely to provide relief to those who have borne the brunt of the effort — if only for the next five months, when the current fiscal year ends.

The Secret Service has been particularly strained as it tries to keep up with its new protectees, who include a first lady and a son living at Trump Tower and Mr. Trump’s frequently traveling adult children. The agency had requested additional money earlier this year.

The legislation provides the Secret Service with \$34 million for the increased cost of physical protection of Mr. Trump for the rest of the fiscal year. The money could be used flexibly to protect the first family in New York and when it travels. The family’s travels, from business trips to Vancouver and Dubai by Mr. Trump’s adult sons to ski weekends in Aspen, Colo., and Whistler, British Columbia, by his daughter Ivanka have become a constant point of criticism among Democrats.



The New York City police commissioner said the department had spent \$300,000 a day protecting Trump Tower between Election Day and Inauguration Day.  
Karsten Moran for The New York Times

Another \$23 million would go specifically toward covering the costs of outfitting Trump Tower with the necessary equipment and personnel, as well as to rent space inside the building for agency personnel, according to a Department of Homeland Security official who was familiar with the funding bill but was not yet authorized to discuss it. Mr. Trump has not returned to the tower, his primary residence and the corporate headquarters of the Trump Organization, since Inauguration Day, but his wife, Melania, and son Barron have been living there full time.

The agreement also funds several significant one-time costs associated with presidential protection that predate the Trump administration. Among them are \$50 million for the installation of long-awaited White House fence segments intended to improve security at the Executive Mansion and \$13 million to make overtime payments incurred during last year's presidential campaign.

In total, the Secret Service spends more than \$750 million of its \$1.8 billion budget on protective operations. That includes not only protection of the White House compound, Mr. Trump, his family and other current and former top government officials, but also security for visiting foreign dignitaries and the United Nations General Assembly each year.

The agency declined to comment on the legislation.

Aside from the Secret Service, the biggest beneficiaries under the agreement would be New York City and Palm Beach County, where Mr. Trump and his family have spent the bulk of their time away from Washington since Election Day. Bedminster, N.J., where Mr. Trump owns



another golf club and is expected to spend time in the coming weeks and months, would also be eligible to apply for the funds.

Congress had previously approved \$7 million to reimburse local law enforcement for the costs of protecting Mr. Trump between Election Day and the inauguration. The new agreement will provide that money, plus \$20 million for the same period and \$41 million for the period from Jan. 20 until the end of the fiscal year.

“Although the federal government does not otherwise reimburse costs of state or local law enforcement for activities in support of the United States Secret Service protection mission,” the legislation reads, “these funds are being provided in recognition of the extraordinary costs borne by a small number of jurisdictions in which a residence of the president is located.”

More than 100 days into Mr. Trump’s presidency, those jurisdictions said they have yet to see any federal money and are still awaiting instructions on how to apply for the bulk of the reimbursement.

New York City has shouldered the heaviest cost since Mr. Trump was elected. James P. O’Neill, the police commissioner, wrote in a letter in February to the state’s congressional delegation that the Police Department had spent \$300,000 a day protecting Trump Tower between Election Day and Inauguration Day and \$127,000 to \$145,000 a day since then, on top of other costs.

In Florida, home to Mr. Trump’s Mar-a-Lago resort, the Palm Beach County Sheriff’s Office has said it was spending an additional \$60,000 a day in overtime when Mr. Trump was in town. He has visited seven times since Inauguration Day, spending a total of 25 days there.

And Bedminster, about an hour outside New York City, said its 16-person police force spent \$300,000 protecting Mr. Trump when he held meetings at the club during the presidential transition period.

Later this week, Mr. Trump is scheduled to return to New York City for the first time since taking office to commemorate the 75th anniversary of a World War II naval battle. It is unclear if Mr. Trump will stay at his Trump Tower triplex or return to Bedminster, which is likely to become a more frequent presidential retreat as the weather warms.

The federal reimbursement, which was championed by lawmakers representing the localities, was greeted as a relief, even as there were concerns that it may prove insufficient. The legislation also specifies that the funds are to be used for reimbursement of costs incurred before Sept. 30, the end of the fiscal year, meaning that Congress is likely to have to take up the issue again.

“We are getting what we are owed,” Mayor Bill de Blasio of New York said in a statement thanking New York’s congressional delegation for helping secure the funds. “That’s good news for our city and the hardworking police officers faced with this unprecedented security challenge.”



The Palm Beach County Sheriff's Office declined to comment on Monday, but Representative Ted Deutch, Democrat of Florida, who represents parts of Palm Beach County, said he was grateful the county's taxpayers would not be on the hook. Still, he said, the agreement provided only a temporary solution.

"This is an important step," Mr. Deutch said. "But now and by the end of the funding bill, we have to have a discussion about whether it is appropriate for the president to bill the taxpayers for trips to his private club."

***Correction: May 1, 2017***

*An earlier version of this article misstated the given name of New York City's police commissioner. He is James P. O'Neill, not Joseph.*

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A version of this article appears in print on May 2, 2017, on Page A18 of the New York edition with the headline: Budget Deal Allots \$120 Million More for First Family's Security

# **EXHIBIT Z**

POLITICO



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Eric (left) and Donald Trump Jr. traveled overseas for Trump family business on two trips that cost the Secret Service nearly \$250,000. | Drew Angerer/Getty Images

## Don Jr. and Eric Trump racked up nearly \$250,000 in Secret Service costs in one month, watchdog says

By **STEPHANIE MURRAY** | 07/18/2018 02:12 PM EDT

One month of Secret Service protection for Eric Trump and Donald Trump Jr. cost taxpayers close to a quarter of a million dollars last year, according to new spending documents obtained by a watchdog group.

The president's sons traveled overseas for Trump family business on two trips that cost the Secret Service nearly \$250,000. Taxpayers footed the bill for hundreds of thousands

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“The Secret Service documents, received through Freedom of Information Act (FOIA) requests, shed light on how much taxpayers are paying for trips taken by the heads of the president’s private business empire,” CREW said in a statement.

In February 2017, Eric and Donald Trump Jr. traveled together to Dubai to open a golf club under the Trump brand. The trip cost the Secret Service \$200,000, CREW says. According to the spending documents, the agency paid \$125,000 for airfare, \$75,000 for hotel rooms and \$15,000 for miscellaneous expenses including cellphones and car service.

“The business trip cost taxpayers significantly more than the \$73,000 in Secret Service cost for a 2018 trip to Dubai for the Trump sons to attend the wedding of the daughter of a business partner,” CREW said.

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POLITICO MONEY PODCAST

**Are we really safe from the next financial crisis?**

By BEN WHITE

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Eric Trump also took a less costly trip to the Dominican Republic in February 2017 to potentially relaunch a Trump resort. His business trip cost the Secret Service some \$30,000 on airfare, hotels and other costs, according to CREW.

“When compared to the bill taxpayers were stuck with from Dubai, the Dominican Republic was a bargain,” CREW said.

That launch did not come to fruition, according to the watchdog group.

CREW obtained additional spending reports on trips to Vancouver and Uruguay in April 2017.

“While ... some of the costs of these trips have already been made public, including \$15,000 spent at a Trump-branded property, the documents — which give a fuller picture of costs — have not,” CREW said.

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